URBAN/MUNICIPAL

CA4 ON HBL A05
C51L2

May 1989 -

AGENDAS/MINUTES OF THE LEGISLATION COMMITTEE OF COUNCIL

CEASED PUBLICATION IN JANUARY 1990 AS COMMITTEE REPLACED BY FINANCE AND ADMINISTRATION COMMITTEE.
CA4ONHBL A05_C51F31

CA4 ON HBL A06
C 51L2
1989

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 April 27

N O T I C E O F M E E T I N G

Legislation Committee
Monday, 1989 May 01
9:30 o'clock a.m.
Council Chambers, City Hall

PLEASE NOTE: The Legislation Committee will meet privately in Room 233 at 9:30 o'clock a.m. to receive a brief oral presentation from Mr. Brian Loreto of the City Solicitor's Office on the legal authority and responsibility of the City of Hamilton respecting this proposed by-law.

HAMILTON PUBLIC LIBRARY
MAY 0 8 1989
GOVERNMENT DOCUMENTS

John Thompson, Secretary
Legislation Committee

JT:mjw

A G E N D A

A. Public Meeting - Proposed Second Level Lodging House By-law

1. Approval of the Minutes of the Meetings of the Legislation Committee held 1989 April 03 and April 13.

2. USE OF CITY HALL FACILITIES

   (a) Darts - Forecourt/Plaza

   (b) Mr. Angelo Mosca - Council Chambers

   NOTE: This will be a presentation by Mr. Mosca (No Copy)

3. RESOLUTIONS RECEIVED FOR ENDORSEMENT AND SUPPORT

(a) Town of Paris

Legislative Authority to levy a special rate or charges for the cost of supplying fire protection to tax exempt properties.

(b) City of Chatham

Proposed Bill 187 dealing with the transfer of responsibility for court security from the Province of Ontario to local municipalities.

NOTE: Enclosed with this resolution is a copy of the Brief to the Standing Committee on the Administration of Justice submitted by the Municipal Police authorities, Ontario Association of Chiefs of Police and AMO in opposition to Bill 187.

4. FRENCH SUB-COMMITTEE

Response to the Canadian Parents for French (Ontario)

5. 1989 AMO ANNUAL CONFERENCE

6. NOTICE TO TRANSIENT FLOWER VENDORS/SERVICE STATION OWNERS - MR. S. J. DEMBE, MANAGER LICENCING DIVISION (Information only)

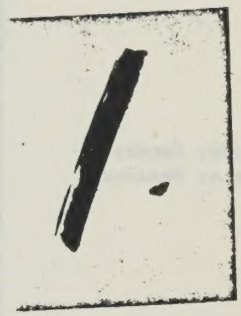
7. NEW BUSINESS

8. ADJOURNMENT

OUTSTANDING ITEMS

LEGISLATION COMMITTEE

	ITEM	ORIGINAL DATE	ACTION	STATUS
1.	Review Civic Award Policy and Regulations	1988 December 05	Legislation Committee	Report to Follow
2.	Public Review of New Second Level Lodging House By-law	1989 January 19	Legislation Committee	Public Meeting 1989 May 01
3.	Policy for Special and Public Meetings	1989 January 23	Staff	Report to Follow
4.	Policy for Use of Council Chambers	1989 January 23	Staff	Report to Follow
5.	Police Report on Licencing Function	1989 January 23	Regional Police	Report Pending
6.	General Public Review of Licencing By-law No. 79-323 Re Taxis and Livery Vehicles	1989 January 23	Taxi-cab Legislation Review Sub-Committee	Review Proceeding Public Meeting 1989 April 24
7.	Regionalization of Bingo Lottery Licences	1989 January 23	Licencing Committee	Report to Follow
8.	Street Vendors Permit South West Corner King and James Streets	1989 April 13	Manager, Licencing Division	Report Pending
9.	Per Diem Rate	1989 April 13	Treasurer	Report Pending
10.	Transient Flower Vendors	1989 April 13	Manager, Licencing Division	Report to Follow



Monday, 1989 April 03
9:30 o'clock a.m.
Room 233, City Hall

The Legislation Committee met.

There were present: Alderman V. J. Agro, Chairman
Alderman M. Kiss, Vice-Chairman
Mayor R. M. Morrow
Alderman D. Drury
Alderman G. Copps
Alderman F. Lombardo
Alderman T. Jackson
Alderman D. Ross

Absent with Regrets: Alderman H. Merling, Vacation

Also present: Mr. E. A. Simpson, City Clerk
Mr. S. J. Dembe, Manager, Licencing Division
Mr. P. Hooker, City Solicitor's Office
John Thompson, Secretary

Child Abuse Month

1. CHILD ABUSE MONTH

Mr. Ray Barrett of the Independent Order of Forresters Against Child Abuse and Mrs. Maureen Juniper of PIR Communications Inc. appeared before the Committee requesting that the month of September be declared as Child Abuse Awareness Month.

Mr. Barrett explained that since 1975 three funds have been established, one for each of Canada, the United States and the United Kingdom, all incorporated under the name of the Independent Order of Forresters Florence Hallum Prevention of Child Abuse Fund.

The specific and primary purpose for which each fund was formed is the prevention of Child Abuse through direct grants and community involvement, and through the distribution of films, video tapes and booklets.

Each fund carries on its activities without profit or the distribution of any gains, profits or dividends to any of its members.

The main components of the Child Abuse Prevention Month will consist of a Mayor's official proclamation, a day-long educational conference, shopping mall education displays, etc.

Following consideration, the Committee agreed to recommend to City Council that the Mayor be authorized to declare the month of September in each year as Child Abuse Awareness Month.

Mr. Barrett also left with the Committee, press kits and a video tape of the Child Abuse Prevention Program in the City of Sudbury, Ontario.

Approval of the Minutes of the Meeting held 1989 March 20

2. MINUTES

The minutes of the last regular meeting held Monday, 1989 March 20 were received and adopted as circulated to the members.

Flower Vendors - Easter Weekend

3. FLOWER VENDORS - EASTER WEEKEND

The Committee was in receipt of a report from the Licencing Division dated 1989 March 29 advising that inspectors made routine checks of all flower vendors during the Easter Weekend of 1989 March 24, 25 and 26. Five inspectors worked 57 hours of overtime during the 3 days. Approximately 112 locations were inspected.

Flower Vendors - Easter Weekend

The report disclosed that the two problems common to all vendors were:

(a) The apparent violation of the City/Regional Road Allowance By-law as approximately 90% of vendors were encroaching on the City/Regional road allowance.

(b) Use of gas stations to set up stands. Approximately 40 vendors were set up on gas station lots.

The Licence Department received several complaints about the age of the children selling the flowers. Concerns were also expressed about the lack of washroom facilities, having to work in poor weather conditions and the hours of operation.

The average age of employees interviewed was 14 to 15 years of age with some as young as 12.

Mr. Dembe advised that the gasoline station owners will be notified that it is a contravention of the Municipal Act to permit the sale of flowers on their property and that appropriate action will be taken in the future for similar violations. A similar notice will be sent to the flower vendors.

With respect to vendors encroaching on the City/Regional road allowance, Alderman Ross explained that they should be charged a fee if the City/Region allows them to remain on the road allowance. Mr. Dembe explained that he is presently in the process of investigating whether the licence inspectors have the authority to enforce encroachment violations on City/Regional road allowances.

The complaints received about the age of the children selling the flowers is a matter to be more properly dealt with by the Ministry of Labour in respect of the Employment Standards Act. Alderman Kiss and Copps stated that the Transient Vendor By-law should be amended to establish a minimum age of 16 to work as transient vendors.

The Committee agreed to table the report pending another public meeting with the transient vendors and various florists.

STREET VENDOR'S PERMIT - Grapes and Things Restaurant

4. 1989 STREET VENDOR'S PERMIT, GRAPES & THINGS RESTAURANT
103 KING STREET EAST, MR. PAUL PAPPAS

The Committee was in receipt of a report of the Manager of Licencing Division dated 1989 March 14 recommending that a Street Vendor's Permit be issued to Grapes & Things Restaurant for the sale of food at the south-west corner of King and James Streets (C.I.B.C.) for 1989.

Attached to the Manager's report was a copy of the by-law respecting the Street Vendor's Program, all correspondence related to this matter including copies of the original application, letter of approval from the City Clerk's Department, letters of objection/concern from the developers of the site, staff replies and scale drawings of the proposed stand.

This matter is being brought to the attention of the Committee almost 3 years after approval was given by City Council on 1986 May 13. The site was not available for use until 1989 as the building was under construction previously. The applicant was, however, willing to wait until the building was completed before proceeding with his proposal.

Although the permit has been approved, it has been the policy of the Legislation Committee to authorize and approve the actual design, size, type of food for sale and specific location for placement of the stand before issuing the actual permit.

In light of the many concerns raised regarding the appropriateness of the site, the Committee directed that the report be tabled pending a further investigation by staff. It was suggested, for example, that staff might wish to discuss an alternate site with Mr. Pappas keeping in mind the concerns that have been raised in this matter.

5. 52ND ANNUAL CONFERENCE OF THE FEDERATION OF CANADIAN MUNICIPALITIES

FCM 52nd Annual Conference

The Committee was in receipt of a memorandum from the Secretary dated 1989 March 30 advising that the 52nd Annual Conference of the Federation of Canadian Municipalities will be held this year in Vancouver, British Columbia from 1989 June 09 to June 12.

The City of Hamilton is allowed a maximum of 7 voting delegates at the Conference.

Following consideration, it was moved by Alderman Drury, seconded by Alderman Lombardo and carried that the Committee recommend to City Council that the Mayor and a maximum of 6 Aldermen be authorized to attend the FCM Conference in Vancouver and advising that any member of City Council interested in attending apply in writing to the Mayor's Office with a copy of each requested addressed to the Secretary of the Committee.

Alderman Kiss, Copps and Jackson were recorded as opposed.

6. RESOLUTION - TOWN OF PARIS

Resolution - Town of Paris

The Committee was in receipt of a report of the City Clerk dated 1989 March 30 recommending that the resolution from the Town of Paris regarding a proposal to charge Cable TV Companies a tax based on their gross receipts, be endorsed.

Mr. E. C. Matthews, Treasurer, is recommending that the City of Hamilton support the resolution from the Town of Paris.

The Committee decided to table the resolution from the Town of Paris.

7. CANADA GEESE OVER-POPULATION - TOWN OF OAKVILLE

Resolution - Town of Oakville Canada Geese Over-Population

The Committee was in receipt of a letter from the Town of Oakville dated 1989 March 14 seeking the support of the City of Hamilton in requesting the Provincial-Federal Governments to fund a research program aimed at effectively maintaining the Canada Geese population in urban waterfront parks.

The Committee agreed to recommend to City Council that the letter from the Town of Oakville be received.

8. USE OF CITY HALL FACILITIES - SENIOR CITIZENS' MONTH

Use of City Hall Facilities - Senior Citizens' Month

As outlined in a report of the Director of Culture and Recreation dated 1989 March 20, the Committee agreed to submit the following recommendations to City Council for approval.

(a) That permission be granted to utilize the City Hall second floor foyer for the period 1989 June 19 to June 23 inclusive, to display Seniors' art work, in conjunction with Senior Citizens' Month.

(b) That permission be granted for the use of the City Hall forecourt on 1989 June 12 and June 23 from 12:00 o'clock noon to 4:00 o'clock p.m. for the opening and closing ceremonies of the Seniors' Carousel.

(c) That permission be granted to use the first floor foyer for the period of 1989 May 17 to May 19 from 9:30 o'clock a.m. to 4:00 o'clock p.m. inclusive, to hold registrations for the Hamilton Senior Games.

Twin City Racalmuto, Italy and Conference in the City of Venice

9. TWIN CITY OF RACALMUTO, ITALY AND CONFERENCE IN THE CITY OF VENICE

Mayor Morrow advised the Committee that he has received an invitation to visit the City of Hamilton's twin City in Racalmuto, Italy and that three members of City Council have already indicated that they would like to participate in this exchange visit. Members of City Council will be expected to finance their own expenses with the exception of reciprocal dinners or hospitality provided on behalf of the City of Hamilton.

Mayor Morrow explained that as part of his trip, he intends to participate in the Fifth International Making Cities Liveable Conference to be held in Venice in July, 1989.

Mayor Morrow agreed to provide the Committee with more information on the proposed visit to Racalmuto outlining the approximate cost to the City and to the members of City Council in order to avoid any controversy or misunderstanding regarding the proposed trip.

Per Diem Rate

10. PER DIEM RATE

Alderman Lombardo submitted that the present per diem rate is insufficient and inadequate for an elected or appointed official attending conferences.

Alderman Ross explained to the Committee that the Regional Economic Development Department provides a per diem allowance based on the U.S. exchange rate for conferences outside of Canada.

Following discussion, the Committee agreed to ask the Treasurer to undertake to review the present per diem rate for the City of Hamilton with the view of upgrading the same and establishing uniformity with the policy of the Regional Municipality of Hamilton-Wentworth as well as other municipalities.

Adjournment

The meeting then adjourned.

Taken as read and approved,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

John Thompson, Secretary
1989 April 03

Typed by M. J. Walton

Thursday, 1989 April 13
4:00 o'clock p.m.
Room 219, City Hall

The Legislation Committee met.

There were present: Alderman V. J. Agro, Chairman
Alderman M. Kiss, Vice-Chairman
Alderman G. Copps
Alderman D. Drury
Alderman T. Jackson
Alderman H. Merling
Alderman D. Ross

Absent with Regrets: Mayor R. M. Morrow, City Business
Alderman F. Lombardo, Medical

Also present: Mr. S. J. Dambe, Manager, Licencing Division
Mr. D. Barrow, Licencing Division
Mr. D. Rose, Licence Inspector
Ms. L. Lawrence, City Solicitor's Office
Mr. Peter Barkwell, City Solicitor's Office
John Thompson, Secretary

1. TRANSIENT FLOWER VENDORS

Transient Flower Vendors

The Committee was in receipt of a report of the Manager of the Licencing Division dated 1989 April 07 containing the following recommendations.

(a) That all the gasoline station owners who permitted the sale of flowers on their property on the Easter weekend and flower vendors be notified that this is a contravention of Section 210 (151b) of the Municipal Act and that appropriate action would be taken in future for a similar violation.

(b) That all flower vendors be notified that, in future, they cease use of the City/Regional road allowance unless specific permission has been granted by the City/Region.

(c) Investigate the feasibility of assessing flower vendor businesses who are presently not required to obtain a transient traders licence for the purpose of paying additional business tax based on size and location of stalls.

The Committee also had before it a copy of the report of Mr. Doug Rose, Licence Inspector dated 1989 March 29 regarding the routine checks of all flower vendors working the Easter weekend of March 24, 25 and 26, 1989.

Mr. Bill Wear of Wear's Florist was in attendance and submitted that the same inspection technique should be carried out by the Licence Division over the Mother's Day weekend. He pointed out that the Cities of Burlington and Stoney Creek have a by-law prohibiting transient flower vendors.

In discussion, Mr. Dambe was directed to review the by-laws of the Cities of Burlington and Stoney Creek as well as the City of Toronto.

Transient Flower Vendors

Mr. J. Marini, Solicitor appeared before the Committee representing Mr. L. Alboine. Mr. Marini submitted that the action being taken by the City of Hamilton appears to be a subtle form of discrimination against the flower vendors. He stated that it is discriminatory and against the Charter of Rights to prohibit transient vendors from selling flowers from gas station lots. He stated that a municipality does not have the legislative authority to limit the number of locations for transient flower vendors unless the current legislation provides otherwise. He cited a recent Divisional Court decision handed down in the City of Kitchener in which it was decided that the municipality did not have the legislative authority to limit the number of bingo licences. He questioned whether the City intends to prohibit the sale of such items as cigarettes, chocolate bars and magazines at service stations and recommended that the Legislation Committee seriously consider the action being taken with respect to the flower vendors.

Mrs. M. Harper of Harper's Gardening Centre Limited, Ancaster was in attendance and recommended the following:

(a) raise the cost of vending permits to $1 000 per location for a one month period only

(b) issue and enforce the maximum fine of $2 000 to property owners who allow vendors to set up on their property

(c) enforce the Street By-law with regards to vendors encroaching on City streets and sidewalks

Mr. Dembe advised the Committee that on 1989 April 10 a notice was given to all service station owners who permitted the sale of flowers on their property on the Easter weekend advising that they were in contravention of the Municipal Act and that appropriate action would be taken in future for a similar violation.

The transient flower vendors were also advised of the contravention and informed that they should ensure that their business and all advertising signs are located off the City/Regional road allowance.

Mr. Alboine submitted that the notice to the service station owners and flower vendors has created irreparable damage to his business and that he may be forced to take other action.

Mr. Dembe explained that the Legislation Committee were advised at its regular meeting 1988 April 03 that he would be sending a notice of contravention to the service station owners and flower vendors. He also pointed out that in the opinion of the City Solicitor's Office selling flowers from gas station lots was in contravention of the Municipal Act.

It was moved by Alderman Ross, seconded by Alderman Drury and carried that a written legal opinion be obtained from the City Solicitor's Office immediately to determine if there are any ramifications the City may experience as a result of the action taken by Mr. Dembe.

It was also moved by Alderman Ross, seconded by Alderman Jackson and carried that approval be given to the following recommendations.

(a) That the Manager of Licencing investigate the feasibility and desirability of reducing the time-frame period for the expiration of a transient vendor licence. i.e. one month instead of three months.

(b) That the Manager of Licencing review the present three month licence fee ($500) with the view to requiring a separate fee for each vendor location over and above a specified number of locations allowed with the initial licence fee. i.e. $500 for 5 locations and $25 for each additional location.

(c) That the City Solicitor's Office be requested to review the recent divisional court decision handed down in the City of Kitchener dealing with a municipality's legislative authority to limit the number of bingo licences to see if that decision would have any impact on the City of Hamilton with respect to governing and regulating the number and location of transient vendors.

(d) That the City Solicitor's Office be requested to investigate the possibility of requiring transient vendors to be bonded.

In closing, Mr. Marini, representing, Mr. Alboine submitted that a letter of retraction to the transient flower vendors and service station owners would be in order at this time in light of the fact that the City is reviewing the legality of prohibiting the sale of flowers from gas station lots.

2. HAMILTON AND DISTRICT LABOUR COUNCIL MEMORIAL

Hamilton and District Labour Council Memorial

The Committee was in receipt of a report from the Secretary dated 1989 April 07 advising that at its meeting held 1988 May 02, the Legislation Committee had before it a letter from the Hamilton and District Labour Council requesting permission to erect a memorial upon the grounds of City Hall.

The Labour Council's request was tabled at that time pending development of a policy for the placement of commemorative plaques, memorials, time capsules, etc. upon the grounds of City Hall.

At its meeting held 1988 September 27, City Council on the recommendation of the Legislation Committee adopted a policy to govern and regulate the installation of commemorative plaques, memorials time capsules and trees upon the grounds of City Hall, a copy of which was forwarded to the Hamilton and District Labour Council for review.

Having had ample time to review the policy, the Hamilton and District Labour Council is now in a position to respond to the Legislation Committee on the purpose of the memorial and its dimensions.

Mr. John Balloch, Trustee, Division Health and Safety Chairman was in attendance and advised that approximately 18 months ago the Hamilton and District Labour Council endorsed a proposal to set up funding and investigating the possibilities of having a memorial honouring workers who have been injured or have died on the job. He explained that April 28th of each year has been dedicated as a Day of Mourning for workers who have been injured or killed on the job and that Hamilton City Council was one of the first communities in the country to recognize this day.

The scope of the project is quite large in terms of cost. The Hamilton and District Labour Council are trying to develop funding in the 40 to 50 thousand dollar range. They plan to generate $15 000 in house through local unions affiliated with the Hamilton and District Labour Council. To date, they have collected just over $13 000. Contact has been made with the Provincial government for funding and the Federal government will be approached at a later date.

It is hoped that the memorial will be ready for unveiling on the Day of Mourning, 1990 April 28.

Mr. Vyce, Director of Property was in attendance and advised the Committee that he and Mr. Balloch have reviewed possible locations for the memorial. He stated that the flat area towards the corner of Bay Street South and Main Street West appears to be an appropriate location for the memorial subject to the approval of the Engineering Department with respect to underground services.

Mr. Balloch went on to say that the Arts Community will be contacted through the tendering process. They will be asking for preliminary drawings etc. These will then be reviewed by the Hamilton and District Labour Council. Alderman D. Drury and Alderman M. Kiss agreed to represent the Legislation Committee on the Selection Committee of the Hamilton and District Labour Council.

Following consideration, the Committee agreed to recommend to City Council that permission be granted to the Hamilton and District Labour Council to erect a memorial upon the grounds of City Hall at a location west of the existing building near the corner of Bay and Main Streets in accordance with the Policy to Govern and Regulate the Installation of Commemorative Plaques, Memorials, Monuments, Time Capsules and Trees Upon the Grounds of City Hall adopted by City Council 1988 September 27.

Request for Civic Dinner - IPCS/IDCR Global Poisons Information Project

3. IPCS/IDRC GLOBAL POISONS INFORMATION PROJECT - REQUEST FOR CIVIC DINNER

The Committee was in receipt of a report from the Finance Committee recommending that the Legislation Committee look favourably upon the request of the Canadian Centre for Occupation and Safety for the City of Hamilton to host a civic dinner for approximately fifty (50) participants attending the International Programme on Chemical Safety and International Development Research Centre, Global Poisons Information Project meeting to be held in the City of Hamilton during the week of 1989 May 08 at a cost of $2 000.

Mrs. Lillian Vine of the Canadian Centre for Occupational Health and Safety was in attendance to answer questions regarding the request for a civic dinner.

Following consideration, the Committee agreed to recommend to City Council that the City of Hamilton host a dinner for the Global Poisons Information Project meeting at a cost not to exceed $2 000.

Use of City Logo

4. USE OF CITY LOGO

As outlined in a report of the Secretary dated 1989 April 06, the Committee agreed to recommend to City Council that the firm of Image Pac Graphics, 730 Islington Avenue, Toronto be authorized to include the City of Hamilton logo in a pin being designed for the 1991 Canadian Curling Championships to be held in the City of Hamilton.

Her Majesty's Army and Navy Veterans Society 100th Anniversary - Request to purchase Advertisement

5. HER MAJESTY'S ARMY AND NAVY VETERANS SOCIETY - 100TH ANNIVERSARY REQUEST TO PURCHASE ADVERTISEMENT

The Committee was in receipt of correspondence from Mr. Gordon Green, President, JAG Communications dated 1989 March 29 requesting that the City consider purchasing an advertisement in a special centennial publication which is being prepared to commemorate the 100th Anniversary of Her Majesty's Army and Navy Veterans Association.

The Committee agreed to recommend to City Council that the City of Hamilton purchase an advertisement in a special centennial publication to commemorate the 100th Anniversary of Her Majesty's Army and Navy association in the amount of $60 and that this expenditure be financed from appropriate advertising and publicity account of the City Clerk's Department.

6. LABOUR DISPUTE AT THUNDER BAY

Labour Dispute Thunder Bay

The Committee had before it a copy of a letter from Mr. Richard McFarlane, General Chairman, Canadian Lakehead Grain Elevator Workers Board of Adjustment No. 17 of the Transportation Communications International Union addressed to The Honourable Jean Carbeil, Minister of Labour in which application is made for the establishment of an Industrial Inquiry Commission to investigate and report on the matter of the continuation of the labour dispute and differences existing between the employees in the grain trade and six grain companies.

The General Chairman of the Board is seeking the support of the various cities and towns on the Seaway System to obtain the establishment of an Industrial Inquiry Commission.

The Committee agreed to recommend to City Council that the letter from Mr. Richard McFarlane be received.

7. CANADIAN CANCER SOCIETY, HAMILTON UNIT - ANNUAL GREAT RIDE TO BEAT CANCER

Annual Great Ride to Beat Cancer - Canadian Cancer Society

The Committee agreed to submit the following recommendations to City Council for approval.

(a) That the Canadian Cancer Society, Hamilton Unit be authorized to use the City Hall forecourt and equipment on Sunday, 1989 April 30 from 10:00 o'clock a.m. to 6:00 o'clock p.m. for the Annual Great Ride to Beat Cancer.

(b) That staff overtime for a Property Maintenance Worker to be available for arrangements associated with this event be approved and charged to Account No. CH55222-10034 - Use of City Hall Facilities and Equipment by Outside Groups.

8. HAMILTON BLACK RIBBON DAY

Hamilton Black Ribbon Day

The Committee agreed to submit the following recommendations to City Council respecting the use of City Hall facilities.

(a) That permission be granted to the Hamilton Black Ribbon Day Committee to use the following facilities on 1989 August 23.

(i) City Hall forecourt for a public ceremony from 7:00 p.m. to 9:00 p.m.

(ii) Small portion of the City Hall forecourt for a peaceful 24 hour candlelight vigil from 9:00 o'clock p.m. Tuesday, 1989 August 22 to 9:00 o'clock p.m. Wednesday, 1989 August 23.

(b) That approval be given to fly the national flags of the following captive nations from 1989 August 22 to August 24.

Poland	Czechoslovakia
Estonia	Hungary
Latvia	Lithuania
Ukraine	Rumania
Slovakia	

(c) That Mayor Morrow be authorized to proclaim Wednesday, 1989 August 23 as Black Ribbon Day in Hamilton.

Hamilton Status of Women Sub-Committee - Representation at National Action Committee Annual General Meeting

9. HAMILTON STATUS OF WOMEN SUB-COMMITTEE
REPRESENTATION AT NATIONAL ACTION COMMITTEE ANNUAL GENERAL MEETING

As outlined in a report of the Secretary of the Hamilton Status of Women Sub-Committee dated 1989 April 11, the Committee agreed to submit the following recommendation to City Council for approval.

That approval be given for six members of the Hamilton Status of Women Sub-Committee to attend the National Action Committee Annual General Meeting in Ottawa from 1989 May 12 to May 15.

Taxicab Legislation Review Sub-Committee - Discussion Paper

10. TAXICAB LEGISLATION REVIEW SUB-COMMITTEE

The Committee had before it a Discussion Paper prepared by the Taxicab Legislation Review Sub-Committee containing the following options for legislative changes. It was noted that these are options only and not recommendations.

(a) CONTINUE THE EXISTING PRIORITY LIST AND ESTABLISH A YEARLY MAINTENANCE FEE OF $25.00 - $50.00 TO MAINTAIN AN APPLICANT'S NAME ON THE PRIORITY LIST. THIS ANNUAL RENEWAL AND FEE MUST BE COMPLETED BY SEPTEMBER 30TH OF THE CURRENT YEAR. FAILURE TO MEET THESE REQUIREMENTS WILL RESULT IN THE APPLICANT'S NAME BEING REMOVED FROM THE PRIORITY LIST.

THIS WE BELIEVE WOULD HAVE THE EFFECT OF ELIMINATING MANY INACTIVE PERSONS PRESENTLY ON THE LIST AND WOULD MOST LIKELY ELIMINATE NEW APPLICANTS WHO ARE NOT IN THE TAXI INDUSTRY.

(b) (i) AN APPLICANT FOR A TAXICAB OWNER'S PLATE MUST BE ACTIVELY ENGAGED FULL TIME IN THE CITY OF HAMILTON'S TAXI INDUSTRY AS A LICENCED TAXICAB DRIVER, OWNER, DISPATCHER OR OTHER FOR ONE (1) YEAR PRIOR TO BEING PLACED ON PRIORITY LIST. VERIFICATION TO BE MADE BY INCOME TAX RETURN AND AN AFFIDAVIT FROM THE TAXICAB OWNER/BROKER. DEFINITION OF "FULL TIME" TO BE DETERMINED UNDER THE PROVISIONS OF THE EMPLOYMENT STANDARDS ACT (I.E. 20 - 22 HOURS - WEEK).

INPUT WILL BE REQUIRED FROM TAXI INDUSTRY TO STRIKE A FORMULA TO BE APPLIED IN DETERMINING THE AVERAGE INCOME (POSSIBLY BASED ON AVERAGE HOURLY INCOME X HOURS PER WEEK X 50 WEEKS = INCOME PER YEAR OF A DRIVER, OWNER OR DISPATCHER WHICH IS RELATIVELY EASY TO APPLY IN FUTURE. THE FORMULA SHOULD INCLUDE A FACTOR FOR INFLATIONARY ADJUSTMENTS.

(ii) AS AN ALTERNATIVE TO THE INCOME TAX REQUIREMENT IN (b) (i), VERIFICATION OF INVOLVEMENT IN THE TAXI INDUSTRY COULD BE PROVIDED BY AN APPLICANT WHO SUBMITTED A CERTIFIED COPY OF A RECORD OF EMPLOYMENT AND/OR UNEMPLOYMENT INSURANCE COMMISSION STATEMENTS OF INSURABLE EARNINGS AND/OR CANADA PENSION PLAN CONTRIBUTIONS STATEMENT. THE AFOREMENTIONED WOULD BE TIED TO THE DEFINITION OF "FULL TIME" TO BE DETERMINED UNDER THE PROVISIONS OF THE EMPLOYMENT STANDARDS ACT (I.E. 20-22 HOURS WEEK)

(c) (i) WHEN AN APPLICANT FOR A TAXI OWNERS LICENCE REACHES THE TOP OF THE PRIORITY LIST, BEFORE ISSUANCE THE APPLICANT MUST SUBMIT CERTIFIED INCOME TAX RETURNS FOR THE IMMEDIATELY PRECEDING 2 -5 CONSECUTIVE YEARS AS A FULL TIME DRIVER, OWNER, DISPATCHER ETC. IN THE CITY OF HAMILTON'S TAXI INDUSTRY. VERIFICATION TO BE MADE BY INCOME TAX RETURN AND AN AFFIDAVIT FROM TAXICAB BROKER/OWNER. DOLLAR EARNINGS TO BE DETERMINED BY INCOME FORMULA AS OUTLINED IN (b) ABOVE.

Taxicab Legislation Review Sub-Committee Discussion Paper

(11) PROVISION SHOULD BE MADE IN THE LICENCING BY-LAW TO COVER A SITUATION WHERE AN APPLICANT WAS ILL DURING THE TIME OF COMPLIANCE WITH THE REQUIREMENTS IN (c) (1).

(d) AN APPLICANT CAN RECEIVE ONLY ONE TAXI OWNER'S PLATE FROM THE PRIORITY LIST.

(e) INCREASE THE FEE FOR A TAXICAB OWNER'S PLATE FROM $2 743 TO POSSIBLY $3 000 - $4 000.

THE CURRENT MARKET PRICE OF A TAXICAB OWNER'S PLATE IN HAMILTON IS APPROXIMATELY $70 000. REVENUES FROM THE ISSUANCE OF ADDITIONAL LICENCES WOULD ALLOW FOR GREATER COST RECOVERY AND WOULD PERMIT HIRING OF AN ADDITIONAL INSPECTOR AS PROPOSED IN THE BUDGET AND WHICH IS THE LICENCE DIVISION'S HIGHEST PRIORITY.

(f) TRANSFER FEE TO BE REVIEWED. A FEE AMOUNTING TO FIFTY PERCENT (50%) OF THE FEE FOR A TAXICAB OWNER'S PLATE FROM THE PRIORITY LIST (I.E. $1500 - $2000 DEPENDING ON THE INCREASE IN ITEM 5 ABOVE) HAS BEEN SUGGESTED.

(g) TAXI OWNER LICENCE RENEWAL FEE TO BE REVIEWED. A FEE OF $175 TO $500 IS PROPOSED.

(h) A NOTICE WILL BE SENT BY REGISTERED MAIL TO EVERY APPLICANT ON THE PRIORITY LIST NOTIFYING THEM OF ANY CHANGES TO THE EXISTING REGULATIONS GOVERNING THE PRIORITY LIST.

(i) THE LICENCE COMMITTEE WILL PUBLISH IN THE LOCAL NEWSPAPER AND POST AT THE VARIOUS TAXI COMPANIES A "PUBLIC NOTICE OF INTENT" THAT THE CITY WILL BE ISSUING ADDITIONAL TAXI OWNER'S LICENCES AND INCLUDE A LIST OF THE APPLICANTS TO BE CONSIDERED. THE LICENCE COMMITTEE WILL CONSIDER APPEALS REGARDING THE QUALIFICATIONS OF THE APPLICANTS.

OPTIONS FOR LIVERY LICENCES

(a) IT IS RECOMMENDED THAT THE LIVERY VEHICLE BY-LAW BE AMENDED TO CLASSIFY THE THREE TYPES OF INDUSTRIES NOW USING LIVERY VEHICLE OWNER'S PLATES, I.E. LIMOUSINE SERVICES, DISABLED PERSONS TRANSPORTATION, SCHOOL TRANSPORTATION.

THIS CLASSIFYING WITHIN THE PRESENT LIVERY BY-LAW HAS ALREADY BEEN REVIEWED BY STAFF AND BY THE SOLICITOR'S DEPARTMENT. THE PROCESS TO CLASSIFY IS DIFFICULT, HOWEVER, WE BELIEVE IT CAN BE ACCOMPLISHED. ONCE RECLASSIFIED, EACH INDUSTRY CAN BE ADDRESSED AS TO USE, TYPE, MODEL AND AGE OF VEHICLE PERMITTED; FEES AND THE NUMBER OF LICENCES TO BE ISSUED.

(b) LIVERY VEHICLE OWNERS MUST PROVE BY AFFIDAVIT, TRIP RECORDS/LOCAL CONTRACT THAT THEY ARE ACTIVELY INVOLVED IN THE TRANSPORTATION OF CUSTOMERS IN THE CITY OF HAMILTON.

(c) THE VEHICLE MUST BE OPERATIONAL WITHIN 30 DAYS OF THE ISSUANCE OF THE LICENCE (A SIMILAR REQUIREMENT AS TAXICABS).

(d) THE LIVERY LICENCE SHALL NOT BE TRANSFERABLE.

(e) FAILURE TO USE THE VEHICLE ON AN ONGOING BASIS (PROOF TO BE PROVIDED BY TRIP RECORDS/CONTRACTS/SPECIFIED # OF HOURS PER WEEK) WILL RESULT IN THE SUSPENSION OR REVOCATION OF THE LICENCE.

Taxicab Legislation Review Sub-Committee Discussion Paper

IF THE ABOVE OPTIONS ARE IMPLEMENTED, THE NUMBER OF TAXICAB OWNER'S LICENCES WILL HAVE TO BE REVIEWED WITH THE LIKELIHOOD OF ISSUANCE OF SOME TAXICAB OWNER'S LICENCES. IT IS IMPORTANT THAT THE DECREASE OF LIVERY SERVICE DOES NOT RESULT IN A DECREASE IN SERVICE TO THE PUBLIC.

OPTIONS FOR THE ISSUANCE OF ADDITIONAL TAXICAB OWNER PLATES

(a) IT IS RECOMMENDED THAT THE 8 ADDITIONAL TAXICAB OWNER'S LICENCES AUTHORIZED BY BY-LAW BE ISSUED AT THIS TIME. STAFF RECOMMENDS A WAIT AND SEE APPROACH TO THE ISSUANCE OF ANY ADDITIONAL LICENCES, TAKING INTO ACCOUNT THE RESULTS OF THE ECONOMIC TREND FOR THE REMAINDER OF 1989.

(b) IT IS RECOMMENDED THAT A FULL ANALYSIS BE CARRIED OUT COVERING ALL FACETS OF THE MARKET, INCLUDING TAXICAB INDUSTRY INPUT, PUBLIC INPUT, THE EFFECTS OF POPULATION, COMMERCIAL/INDUSTRIAL GROWTH, IMPACT OF NEIGHBOURING MUNICIPALITIES TAXICABS, THE EFFICIENCY OF THE EXISTING TRANSIT SYSTEM, EXPANSION OF GO TRANSIT, AIRPORT EXPANSION AND ADDITIONAL FACTORS SUCH AS RESPONSE TIME TO CALLS WITHIN THE TAXICAB INDUSTRY.

(c) (i) THE CREATION OF A SPECIAL STREET INDEX (TOWNHOUSES ETC.) TO BE PUBLISHED BY THE CITY UTILIZING ASSESSMENT ROLLS ETC. WILL ALLOW FOR QUICKER RESPONSE TIME.

(ii) NUMERICAL RESIDENTIAL IDENTIFICATION ON UTILITY POLES HAS PROVEN SUCCESSFUL IN THE MUNICIPALITIES EMPLOYING THIS PROGRAM. THIS RECOMMENDATION WOULD BE REQUIRED TO BE FORWARDED TO THE TRANSPORT AND ENVIRONMENT COMMITTEE FOR THEIR CONSIDERATION

(d) (i) EXAMINE THE FEASIBILITY OF CREATING AN ADDITIONAL CLASS OF TAXICAB OWNER'S PLATE WITH APPLICANTS CHOSEN FOR SELECTION OF THESE PLATES FROM THE TAXICAB PRIORITY LIST FOR EVENING AND WEEKEND USE ONLY.

ACQUISITION OF A TAXICAB OWNER'S PLATE FOR EVENING AND WEEKEND USE ONLY WILL NOT AFFECT THE APPLICANT'S POSITION ON THE PRIORITY LIST. HOWEVER, THE EVENING AND WEEKEND PLATE WILL BE NON-TRANSFERABLE, LEASING WILL BE PROHIBITED AND VEHICLES MUST BE OWNER DRIVEN. WHEN AN APPLICANT'S NAME REACHES THE TOP OF THE PRIORITY LIST, THE PLATE MUST BE SURRENDERED AND RETURNED TO THE CITY THUS QUALIFYING THE APPLICANT FOR A FULL-TIME TAXICAB OWNER PLATE.

(ii) THE FEES FOR THIS CLASS OF LICENCE WILL BE $500 INITIALLY. ANNUAL RENEWAL FEE WILL BE $175 - $500 AND THE TAXI PLATE WILL BE RESTRICTED TO USE ONLY BETWEEN THE HOURS OF 5-6 P.M. AND 5-6 A.M., MONDAY TO FRIDAY; TWENTY FOUR (24) HOUR USE ON SATURDAY AND SUNDAY WILL BE PERMITTED.

NOTE: THIS RECOMMENDATION, IF ACCEPTED, IS DESIGNED TO ACCOUNT FOR THE FACT THAT A HIGH PERCENTAGE OF TAXICABS DO NOT WORK DURING THESE EVENING HOURS AND WEEKENDS.

(e) DEREGULATE THE NUMBER OF TAXICAB PLATES WHICH WILL BE ISSUED IN THE CITY OF HAMILTON. IN PLACE OF A LIMITATION ON THE NUMBER OF TAXI PLATES, APPROPRIATE STANDARDS WOULD BE SET FOR ALL INDIVIDUALS SUCH AS A MINIMUM NUMBER OF "ACTIVE" EMPLOYMENT YEARS (I.E. 2 - 5 YEARS)IN THE CITY OF HAMILTON TAXI INDUSTRY. IN ADDITION, AN APPLICANT WOULD BE REQUIRED TO PROVIDE A SUITABLE AUTOMOBILE AND NECESSARY EQUIPMENT ETC. EVERY PERSON WHO MEETS THE STANDARDS TO OBTAIN A TAXI OWNER LICENCE WOULD BE ISSUED A LICENCE.

Taxicab Legislation Review Sub-Committee Discussion Paper

(f) THE TAXICAB INDUSTRY AND THE CITY MUST AGGRESSIVELY APPROACH THE INSURANCE INDUSTRY TO REVISE THEIR RATES TO BETTER REFLECT HAMILTON'S TURN AROUND WITH RESPECT TO INSURANCE CLAIMS. THIS IS LARGELY DUE TO THE NEW TAXI DRIVER SCREENING PROCESS BY BOTH THE CITY AND THE INDUSTRY, TWO-DAY EDUCATIONAL PROGRAM AND INCREASED TAXI INSPECTION SERVICE.

THE FORMER TAXI TASK FORCE HAS HAD NO REPLY TO ITS REQUEST TO THE INSURANCE INDUSTRY TO CONSIDER OR ENTER INTO DISCUSSION WITH THE TAXI INDUSTRY.

OPTIONS FOR TAXICAB LEASING

(a) AGGRESSIVE APPROACH TO THE INSURANCE INDUSTRY TO RECOGNIZE THE INDIVIDUAL LESSEE AS AN "OWNER" OF HIS OWN VEHICLE.

(b) INCREASE FEES FOR LIMITED INTEREST AGREEMENTS (TAXICAB LEASING) TO THE FOLLOWING:

INITIAL AGREEMENT	$50 SAME CAR
RENEWAL AGREEMENT	$50 SAME CAR
INITIAL AGREEMENT	$175-500 ADDITIONAL CAR
RENEWAL AGREEMENT	$175-500 ADDITIONAL CAR

(c) PROMOTE LEASING OF OWNER'S TAXICAB PLATES TO LESSEES WHICH WOULD HAVE THE EFFECT OF PROVIDING ADDITIONAL TAXIS PARTICULARLY DURING EVENINGS AND WEEKENDS WHICH WOULD RESULT IN BETTER SERVICE THROUGHOUT THE CITY.

IF OPTION (d) OR (e) IN THE SECTION RESPECTING ISSUANCE OF ADDITIONAL TAXICAB LICENCES IS APPROVED, IT SHOULD ALLEVIATE THE NECESSITY FOR THIS OPTION.

COMMITTEE MEMBERS

ALDERMAN V. AGRO, CHAIRMAN
ALDERMAN D. DRURY, VICE CHAIRMAN
ALDERMAN G. COPPS

STAFF

S. DEMBE, MANAGER, LICENCE DIVISION
D. BARROW, SENIOR LICENCE INSPECTOR
P. BARKWELL, SOLICITOR
J. THOMPSON, SECRETARY

Taxicab Priority List and Issuance of Taxicab Plates

The Committee was also in receipt of a private and confidential memorandum from Mr. Peter Barkwell of the City Solicitor's Office regarding the Taxicab Priority List and issuance of taxicab plates in the City of Hamilton suggesting that the Committee should add to the options for public discussion the possibility of deregulating the number of taxicab plates to be issued by the City.

The Committee approved of the suggestion and authorized Mr. Barkwell to seek an outside opinion with respect to the question of whether the City would be liable for any economic loss suffered by the current plate owners as a result of deregulation.

Public Meeting 1989 April 24

The Committee agreed to hold a public meeting on Monday, 1989 April 24 at 6:00 p.m. to receive input from the taxi industry on amendments and revisions to the current Licence By-law as it relates to the taxi industry based on the options outlined in the Discussion Paper presented by the Sub-Committee.

The Committee also agreed to recommend to City Council that a 60 day extension be granted to the Legislation Committee to conduct and complete a general public review of Licencing By-law No. 79-323 respecting taxicabs.

Adjournment

The meeting then adjourned.

Taken as read and approved,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

John Thompson, Secretary
1989 April 13

Typed by M. J. Walton

2(a)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: E. A. Simpson
City Clerk

DATE: 1989 April 26
COMM FILE:
DEPT FILE:

SUBJECT:

Access Awareness Week

RECOMMENDATION:

That permission be granted to DARTS (Disabled and Injured Regional Transit System) to use the plaza area in front of City Hall on Transportation Day, 1989 June 05 of Access Awareness Week to display approximately 5 vehicles of various sizes.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

3(a)

Corporation of the City of Hami

Memorandum

****

TO: Chairman and Members
Legislation Committee

YOUR FILE:

FROM: John Thompson, Secretary
Legislation Committee

OUR FILE:
PHONE:

SUBJECT: RESOLUTION - TOWN OF PARIS

DATE: 1989 April 26

Attached is a copy of a resolution from the Town of Paris recommending that a municipality supplying fire protection to a tax exempt property be permitted to levy a special rate on charges for the cost of such protection, based upon assessed value which has been forwarded to the City of Hamilton for endorsation and support.

John Thompson

JT:mjw

Attachment

Town of Paris
66 Grand River St. N.
Paris, Ontario N3L 2M2
Telephone: (519) 442-6324

March 22, 1989

To All Ontario Municipalities:

The Council of the Town of Paris has been concerned that churches and schools are receiving fire protection without proper cost adjustments.

Churches in the past supplied considerable community social functions that in some respects today have been assigned to Government. There also appears to be a proliferation of church identities.

School Tax under Section 63 is touted as being equal across the county or region. Using Brant County as an example, we have two townships who do not have a school within their boundaries. Their school tax is equal to a municipality that has schools within its boundaries. The difference is that fire protection is supplied by the municipality that has schools, and no cost is recovered from municipalities who do not have schools.

With this in mind, our resolution is requesting that tax exempt properties be levied a special charge towards these costs. This resolution was unanimously passed by Town Council.

We would appreciate it if you would advise the Town of Paris, your local M.P.P., the Minister of Municipal Affairs, and A.M.O. of your decision in this matter.

Thank you very much for your time and co-operation.

Yours truly,

Gloria Taylor

GT/sb

Gloria Taylor
Deputy-Clerk

cc: Hon. Robert Nixon
Hon. John Eakins
A.M.O.
O.S.U.M.

The Corporation of the

TOWN OF PARIS

RECEIVED
APR 7 1989
CITY CLERKS

RESOLUTION

Proposed by ...D.H. Gibson... No. 13

Seconded by ...G.E. Lawley... March 7th 19 89

WHEREAS the Honourable Robert Nixon, Minister of Treasury and Economics has stated:

"The various demands on the Province limit its ability to address these needs on its own. New ways to help finance capital infrastructure must be explored."

Municipalities also need to explore new sources of revenue.

AND WHEREAS the municipality supplies fire protection that is chargeable to the rateable properties by taxes, and that this protection is supplied to all residences and properties;

AND WHEREAS certain tax exempt properties (schools and churches) receive fire protection and use its availability to reduce their insurance costs, without making any payment to the municipality supplying such protection;

AND WHEREAS local improvement costs may be assessed against tax exempt properties. The annual fire protection costs, including capital expenditures, are continuing without assessment against tax exempt properties;

Therefore be it resolved that a municipality supplying protection to a tax exempt property be permitted to levy a special rate or charges for the cost of such protection, based upon assessed value.

This Resolution is to be forwarded to the Hon. Robert Nixon, M.P.P., the Hon. John Eakins, Minister of Municipal Affairs, A.M.O., O.S.U.M., and all municipalities in the Province of Ontario.

20

I declare the resolution carried.

.....

Mayor.

3(b)

Corporation of the City of Hami

Memorandum

****

TO: Chairman and Members
Legislation Committee

YOUR FILE:

FROM: John Thompson, Secretary
Legislation Committee

OUR FILE:
PHONE:

SUBJECT: RESOLUTION - CITY OF CHATHAM - REGARDING PROPOSED BILL 187

DATE: 1989 April 26

Attached is a copy of a resolution from the City of Chatham dealing with the transfer of responsibility for security from the Province of Ontario to local municipalities which has been forwarded to the City of Hamilton for endorsation and support.

Also attached is a copy of a brief to the Standing Committee on the Administration of Justice submitted by the Municipal Police authorities, Ontario Association of Chiefs of Police and AMO in opposition to Bill 187.

John Thompson

JT:mjw

Attachments



DEPARTMENT OF
SOLICITOR/CLERK

TELEPHONE
519-352-4500
FAX
519-436-3237

THE CORPORATION OF THE CITY OF CHATHAM

P.O. BOX 640
CHATHAM, ONT., March 22, 1989
N7M 5K8

OUR FILE _____

YOUR FILE _____

TO ALL MUNICIPALITIES IN ONTARIO WHERE
COURT FACILITIES ARE LOCATED

Re: PROPOSED BILL 187

The proposed legislation dealing with the transfer of responsibility for court security from the Province of Ontario to local municipalities has been considered by Chatham City Council, and concerns have been expressed with the significant financial impact such a transfer would have on this municipality and its taxpayers. As a result of these concerns, the attached resolution was unanimously adopted.

Your support for the City's opposition to this transfer of duties and jurisdiction is requested, and we would ask that your concerns over Bill 187 and your support for the City's position be forwarded to the Association of Municipalities of Ontario.

Thank you for your attention to this matter.

Yours very truly,

Brian W. Knott
Solicitor/Clerk

BWK:JA

Attachment

RESOLUTION 89-10

OF THE CORPORATION OF THE CITY OF CHATHAM

WHEREAS the Legislative Assembly of the Province of Ontario is considering Bill 187 which includes a provision to place the responsibility for court security on municipalities where court facilities are located;

AND WHEREAS the proposed transfer of responsibility for court security from the Province to local municipalities is not accompanied by the provision of adequate resources to undertake this responsibility;

AND WHEREAS Bill 187 would have the effect of creating significant costs to local government for the provision of court security;

NOW THEREFORE BE IT RESOLVED that the Council of The Corporation of the City of Chatham opposes the placing of responsibility for court security on local police forces, and that the Premier, the Solicitor General, the Attorney General and our local MPPs be advised of these concerns; and that a copy of this resolution be forwarded to the Association of Municipalities of Ontario and to all municipalities in the Province where court facilities are located requesting support for this position.

MOVED BY ALD. SULMAN

SECONDED BY ALD. ARBOUR

Hamilton-Wentworth Regional Police

155 King William Street, P.O. Box 1060, Station A, Hamilton, Ontario, Canada, L8N 4C1 Telephone: (416) 522-4925

Chief of Police Colin T. Millar

FAX NO. 522-6958

April 12th, 1989 .

Mr. John Thompson,
Secretary,
Legislation Committee,
City Hall,
71 Main Street West,
HAMILTON, Ontario,
L8N 3T4

RE: BILL 187

Dear Mr. Thompson:-

In reply to your letter of April 6th, 1989, enclosed is a copy of the Brief to the Standing Committee on the Administration of Justice submitted by the Municipal Police Authorities, Ontario Association of Chiefs of Police, and the Association of Municipalities of Ontario.

I support the summary in the report.

Yours truly,

George T. Frid,
Deputy Chief of Police,
Operations Bureau.

GTF:rc

attachments

BRIEF TO THE STANDING COMMITTEE ON THE ADMINISTRATION OF JUSTICE

Re: Bill 187

An Act to Amend Certain Acts

As They Relate to Police and Sheriffs

SUBMITTED BY:

MUNICIPAL POLICE AUTHORITIES

ONTARIO ASSOCIATION OF CHIEFS OF POLICE

ASSOCIATION OF MUNICIPALITIES OF ONTARIO

EXHIBIT N... 01/07/13

FILED ON March 6, 1989

Introduction

In order to put this brief into context for the members of the Standing Committee on the Administration of Justice, we will begin by outlining, in general terms, the role and function of the Municipal Police Authorities and the Ontario Association of Chiefs of Police.

The Municipal Police Authorities (MPA), is an organization founded in 1963 with the support of the Honourable F.M. Cass, then Attorney General, and Judge Bruce MacDonald, then Chairman of the Ontario Police Commission, to represent municipal police governing authorities and to act as a vehicle for consultation between these authorities and the Provincial Government. Police governing authorities are charged with the following responsibilities: maintaining law and order in the municipality; providing adequate policing and hiring members of the force; the governance of the force and the maintenance of discipline; the preparation of the force's budget and overseeing expenditures; and the negotiation of salaries and benefits for the members of the force.

The Ontario Association of Chiefs of Police (OACP), incorporated in November of 1952, is now organized so that the President governs the Board of Directors and co-ordinates and directs the work of various committees, which includes legislative, training, crime prevention, drug abuse and technology among others. The OACP is concerned with researching and development and subsequent implementation of improved police administrative and operational practices within the police service. The Executive of OACP and MPA maintain close liaison with the Ministry of the Solicitor General and the Ontario Police Commission in order to address both the immediate and future needs of policing in Ontario.

Our comments today are also being supported by the membership of the Association of Municipalities of Ontario, who share with us the many concerns addressed in this brief, particularly those comments pertaining to the financial burden being placed upon municipalities who provide their own policing.

Clarification of Intent of Bill 187

Both MPA and OACP wish to go on record with our concern arising from apprehension as to the full intent and scope of the proposed legislation. Our apprehension arises in part out of the content of the proposed legislation, and in part out of our belief that some of the bases apparently accepted by the Government as being factual may not be correct.

As we understand Bill 187, it is intended to apply to all "premises where court proceedings are conducted". We believe that to include all levels of all courts, including criminal, civil, family, provincial offences and matrimonial causes. We believe it to include trials and hearings of appeals in such courts and also pre-trial procedures such as examinations for discovery, examinations in aid of execution, taking of evidence before trial, assessments of costs, bail reviews, proceedings under the Extradition Act and other federal legislation and applications to court or to a judge under the Landlord and Tenant Act and other provincial legislation. We interpret it to include what is essentially the administrative function of the courts in the offices of the registrars and clerks of the various courts. We further interpret that Bill 187 would require the police

force of the municipality in which the court proceeding is conducted to secure the safe custody of any person brought to the court as a prisoner or placed in custody during the proceeding.

In our collective opinion, fulfillment of the responsibilities thus placed upon local police forces will create excessive demands upon the financial and manpower resources of any municipality in which any court proceedings are conducted. Detailed estimates as to the financial impact of Bill 187 will be provided later in this brief - we believe these estimates to have been prepared in good faith, but we query whether anyone can accurately estimate any such impact unless and until the intentions or expectations of the Government are more clearly stated. Only in the context of determining the extent of the financial impact upon some of our members and without our being taken to acknowledge the justification for the imposition of the responsibility upon municipal police forces, we believe such clarification is required in at least the following areas:

> The qualifications of the persons who are to be assigned to such duties - e.g. must they be fully trained and equipped sworn officers?
>
> If such persons need not be at least first class constables, what standards of training, experience and physical condition will be expected? What equipment will be required? Who will provide training, and where will such training be conducted?
>
> Who will decide the level of the security service to be provided, (a) in the court room or hearing room, (b) in the public areas of the building, and (c) on the grounds on which the building is located? We believe different judges have different expectations or demands for the presence of security personnel in or about the rooms in which they perform their various duties. Who will resolve any difference of opinion in the event an individual judge or court official purports to demand a level of security in excess of that which the Chief of Police believes is adequate?
>
> Since some concern has been expressed as to the adequacy of custodial and security facilities in some courts buildings, what consideration has been given to the possibility of civil liability arising our of any such inadequacy? What are the Government's expectations as to the supervision and surveillance of any custodial area?
>
> What are the Government's expectations as to when the transfer of responsibility will be effected?
>
> What are the Government's intentions with reference to the current contracts whereby the Ontario Provincial Police provide police services to some local municipalities? Similarly, what of the current contracts between or among local municipalities with reference to the provision of police services by one or more to another or others?

Correspondence from Premier Peterson

On December 5, 1988, the MPA and OACP corresponded with the Honourable David Peterson to express our dismay at the manner in which this legislation was introduced -

no consultation was held with the policing community prior to the introduction of Bill 187 in the Legislature. On January 18, 1989, Premier Peterson responded to our letter, and we make the following comments with respect to his correspondence:

> The Premier, in his correspondence, confines his remarks to Criminal Courts - our interpretation of Bill 187 leads us to believe the Bill will apply to and affect all courts.
>
> The Premier also notes in his correspondence that in many municipalities, the police are already providing court security and that Bill 187 will not necessitate any change in their current practices. We respectfully submit that in many areas, service in courts is provided by civilian personnel. Further, there is no Sheriff assistance in small municipalities, and in larger municipalities, Sheriffs discharge a variety of functions including security in Superior Courts and Family Courts. In some areas of the Province (i.e. London), if the Sheriff requires additional help, he would hire additional off duty police officers - this indicates that this cost has been historically accepted as a Provincial burden. Mr. Peterson's comments that this legislation only puts into legislation what is already the practice in many municipalities is, with respect, based on false information. This fact will come to light when financial impact figures pertaining to Bill 187 are reviewed later in this brief - every municipality with court facilities within its jurisdiction will see increased costs should Bill 187 be proclaimed.

Court Security - Who is Responsible?

Numerous studies have been conducted by the Government over the past few years relative to the courts and policing in Ontario. We draw your attention to the following recommendations;

The Ontario Law Reform Commission, established by section 1 of The Ontario Law Reform Commission Act, 1964, for the purpose of promoting the reform of the law and legal institutions, published a report in 1973 under the auspices of the Ministry of the Attorney General. In Part II of the report, the matter of the role of police officers in the courts was addressed in some detail. The Commission received a number of representations criticizing the use of police officers as court officers in various capacities in the Provincial Courts (Criminal Division). The Commission agreed that police "should be freed to perform the duties for which they have been primarily trained. Public confidence in the courts would be increased by reducing the apprehension that the courts are dominated by the police, an apprehension engendered at least in part by the integral role which appears to be played by the police in the functioning of the courts."

Emil K. Pukacz, Special Consultant, was appointed by order-in-council in July, 1977. His report on Police and Other Services to the Administration of Justice in Ontario, as published in October, 1978, noted that "In the Provinces of Quebec and British Columbia, police forces, under normal circumstances of the operations of the court, do not provide regular security services to the courts. In the Province of Quebec, a special security service of the Government Services is responsible for this task, and in British Columbia, Sheriffs' officers of the department of the Attorney General provide this service to all courts".

The Pukacz Report recommended that "the Ontario Government Protective Services

administered by the Ontario Provincial Police be designated to provide court security officers, information officers and attendants for all courts, and that where police officers were performing these functions, they should be replaced by the protective service or by "specially trained uniformed civilian staff" in the smaller centres. The police were to "supplement and strengthen security in the courts whenever required" if they were present in court, and to institute "special security arrangements whenever dangerous prisoners or a large number of prisoners have been brought for trial or where threats, violence, disturbances, etc. are likely to occur".

In The Report of the Ontario Courts Inquiry, 1987, The Honourable T.G. Zuber notes that municipal police forces are under municipal direction and have their budgets, staffing and training set by municipal authorities. If municipal police forces are employed in the provision of courthouse security, appropriate arrangements must be negotiated with the municipal police forces to assure the provision of the right kind of service and the availability of that service as required by the courts. These factors tend to suggest that a provincial force should be responsible for the provision of courthouse security generally. The Zuber Inquiry recommended that "The provision of court security should be the responsibility of a provincial police force operating at the direction of the Courts Administration Division of the Ministry of the Attorney General. To the extent that use of municipal police forces is considered desirable, appropriate arrangements should be made with the municipal authorities involved and adequate funding should be provided for that purpose".

In the fall of 1987, General W.A.B. Anderson was retained by the Province of Ontario to undertake a study of problems relating to court security throughout the Province. We are concerned that this report has not been made available to us - we suggest the contents of the Anderson Report are vital to the discussions being entertained here today, and hereby encourage the Attorney General to make the report available to the Standing Committee on the Administration of Justice and all groups appearing before it to address the implications of Bill 187.

The Issue of Increase in Household Grants

In a news release on March 7, 1985, Municipal Affairs and Housing Minister Dennis R. Timbrell announced a $3.00 increase in the police per household grant to "meet the increased financial pressure at the municipal level to provide uniformed police security in the courts and to assist in the transfer and supervision of prisoners". This statement by Mr. Timbrell recognized that the Province was accepting its responsibility to pay for police assistance in securing the courts.

Mr. Timbrell further noted, "In the past few years, in response to specific problems, court security payments have been made on an ad hoc basis by the Attorney General to a few municipalities. Last year, the Attorney General received requests for funding from many municipalities. Because of the growing number of requests, our Ministry will incorporate funds for these purposes into the police-per-household grant as a permanent solution to what has been an increasing problem". We respectfully suggest to members of this Committee, that the increased funding referred to by Mr. Timbrell in 1985 was to provide financial reimbursement to municipal police forces for the limited assistance in the area of court security being provided at that time. The grant was, as noted by Mr. Timbrell, an answer to a problem long in existence, as noted by the payments previously made to municipalities by the Province. It was not, by any means,

an acceptance by municipalities that full responsibility for court security should rest with municipal forces as suggested by Bill 187.

Mr. Timbrell also indicated in his statement in 1985 that the $3.00 increase would also assist with increased costs in the area of transportation of prisoners, costs which have dramatically increased since 1984 in view of recent federal initiatives such as the Young Offenders Act. Since 1984, the MPA and the OACP have repeatedly proposed to Government that the $3.00 per household increase has not provided for increased transportation costs to municipal police forces, who are picking up much of this added expense. Even without the implementation of Bill 187, the $3.00 increase in 1985 has already been expended in transportation costs alone. The speed with which Bill 187 has proceeded has prevented a detailed analysis of transportation costs being prepared and submitted with this brief.

We point out the financial inequities of Bill 187, wherein only those municipalities who have a court facility within their jurisdiction will be impacted by increased costs - this is, of course, unfair. We point to, as an example, the City of Barrie Court which accommodates 8 other municipalities and the Ontario Provincial Police - these other municipalities and the Ontario Provincial Police would not be required to contribute to court security costs under Bill 187. Scenarios similar to the one in Barrie are found throughout the Province.

Financial Implications of Bill 187

As to the question of Provincial financial assistance to municipalities maintaining their own police force, we draw your attention to the Provincial share of municipal police budgets over the past few years:

1984	17.90%
1985	18.05%
1986	17.06%
1987	16.16%
1988	15.44%

This gradual but continued drop in Provincial financial assistance was further emphasized by the recent announcement that the 1989 police-per-household grant would be frozen at the 1988 level. Although no detailed figures are available at this time, our associations have been advised by our members that this freeze will impose great hardship on municipal police forces, and impede their ability to maintain existing service to their communities, let alone work towards initiatives currently being seen as vital to policing in this Province.

We have conducted a financial impact study of Bill 187, and we refer you to Appendix A of our brief, which details not only the projected impact to municipal police forces, but also notes the number of households in each municipality and the $3.00 per household grant calculation for each municipality.

Again, we repeat our earlier point that these estimates have been prepared in good faith, but we query the accuracy of these estimates pending clarification of the concerns noted above. It also bears repeating that these figures relate only to court security and do not include costs for transportation of prisoners, an item that was also to be financially offset

by the $3.00 per household grant increase in 1985.

On the bottom of page six of Appendix A, you will see that the $3.00 per-household-grant increase amounts to just over 8.8 million dollars annually to municipal police forces - this is the amount that has repeatedly been brought to our attention as being provided by the Province for court security and transportation of prisoner costs. Upon further review of the chart, you will notice that our projected increases in costs based upon utilization of special constables, not fully trained constables, will be in the neighbourhood of 20.3 million dollars, an overall cost to municipal police forces of over 11.5 million dollars - again, we point out that these figures do not include costs relating to the transportation of prisoners, which are also to be covered by the $3.00 per-household-grant increase.

You will further note that many forces (49 out of 119 to be precise) will not incur any costs as a result of the implementation of Bill 187, as they do not have any court facilities within their jurisdiction - do note however, that these forces incur proportionately higher costs in transporting prisoners to court facilities in other police jurisdictions.

In attendance today are representatives of police governing authorities and chiefs of police from many of the municipalities to be effected by Bill 187 whom members of the Standing Committee on the Administration of Justice may call upon during discussion to clarify any of the costs projected in Appendix A.

Summary

On the basis of our present understanding of the intent of Bill 187 and its financial impact on many of our members, we fear that the cost now to be borne by those members will lead to a reduction of other police services in those municipalities - some of those reduced services may very well be in areas where we have been encouraged by Government initiative to increase police services. We must comment upon our strong relationship with the Ministry of the Solicitor General with which both the OACP and MPA have the opportunity to meet and discuss on a regular basis issues and initiatives under consideration by that Ministry. We encourage the Ministry of the Attorney General to look upon our Associations as willing contributors to policies and initiatives being considered in the future - we firmly believe that as a consequence of continuing consultation and communication a more harmonious and productive relationship could exist, the whole of which would ensure that the public is better served.

In summary, we encourage the Standing Committee on the Administration of Justice to decline to approve Bill 187, firstly because of its basic unfairness in imposing a traditionally provincial responsibility upon local municipalities without fair compensation, and secondly because of the inequity of its financial impact upon municipal police forces.

We offer our assistance and input into any discussions that may be undertaken in the future to deal with the matter of court security, transportation of prisoners and other matters that we feel must be addressed once and for all to the satisfaction of both the Provincial Government and municipal police forces.

FORCE	NUMBER OF HOUSEHOLDS (1988)	$3.00 INCREASE PER HOUSEHOLD	PROJECTED RATES UNIFORM OFFICERS	PROJECTED RATES SPECIAL CONSTABLES	COST IMPACT ($3.00 GRANT VS SPECIAL CONSTABLES PROJECTED COSTS)
ALEXANDRIA	1,374	4,122	11,000	5,500	(1,378)
ALLISTON	2,014	6,042	N/A	N/A	6,042
AMHERSTBURG	2,924	8,772	N/A	N/A	8,772
ANDERDON	1,550	4,650	N/A	N/A	4,650
ATIKOKAN	1,718	5,154	3,738	2,000	3,154
AYLMER	2,179	6,537	N/A	N/A	6,537
BARRIE	19,300	57,900	312,000	203,000	(145,100)
BELLEVILLE	15,465	46,395	249,942	218,072	(171,677)
BRADFORD	3,353	10,059	104,182	70,996	(60,937)
BRANTFORD	29,475	88,425	254,845	184,447	(96,022)
BROCKVILLE	9,047	27,141	105,000	70,000	(42,859)
CARDINAL	713	2,139	N/A	N/A	2,139
CARLETON PLACE	2,607	7,821	N/A	N/A	7,821
CHATHAM	16,261	48,783	250,000	175,000	(126,217)
CLEARWATER	8,221	24,663	N/A	N/A	24,663
CLINTON	1,275	3,825	N/A	N/A	3,825
COBOURG	5,313	15,939	100,000	50,000	(34,061)
COLCHESTER SOUTH	2,383	7,149	N/A	N/A	7,149
COLLINGWOOD	5,616	16,848	133,052	94,061	(77,213)
CORNWALL	18,256	54,768	260,000	185,000	(130,232)

FORCE	NUMBER OF HOUSEHOLDS (1988)	$3.00 INCREASE PER HOUSEHOLD	PROJECTED RATES UNIFORM OFFICERS	PROJECTED RATES SPECIAL CONSTABLES	COST IMPACT ($3.00 GRANT VS. SPECIAL CONSTABLES PROJECTED COSTS)
DEEP RIVER	1,765	5,295	3,050	1,400	3,895
DESERONTO	693	2,079	N/A	N/A	2,079
DRESDEN	994	2,982	N/A	N/A	2,982
DRYDEN	2,572	7,716	11,000	7,700	16
DURHAM REGIONAL	122,056	366,168	1,000,000	576,000	(209,832)
DURHAM, TOWN OF	1,029	3,087	N/A	N/A	3,087
EAST ZORRA-TAVISTOCK	2,134	6,402	N/A	N/A	6,402
ELLIOT LAKE	6,610	19,830	123,550	94,590	(74,760)
ESPANOLA	2,059	6,177	99,000	65,000	(58,823)
ESSEX	2,276	6,828	N/A	N/A	6,828
EXETER	1,549	4,647	58,000	38,000	(33,353)
FERGUS	2,587	7,761	4,954	2,160	5,601
FORT FRANCES	3,566	10,698	90,000	58,000	(47,302)
GANANOQUE	2,110	6,330	N/A	N/A	6,330
GLOUCESTER	31,237	93,711	N/A	N/A	93,711
GODERICH	2,994	8,982	31,730	15,468	(6,486)
GUELPH	31,210	93,630	262,332	175,762	(82,132)
HALDIMAND-NORFOLK	36,800	110,400	300,000	225,000	(114,600)
HALTON REGION	97,825	293,475	375,000	225,000	68,475
HAMILTON WENTWORTH	166,115	498,345	1,586,783	1,131,618	(633,273)

FORCE	NUMBER OF HOUSEHOLDS (1988)	$3.00 INCREASE PER HOUSEHOLD	PROJECTED RATES UNIFORM OFFICERS	PROJECTED RATES SPECIAL CONSTABLES	COST IMPACT ($3.00 GRANT VS SPECIAL CONSTABLES PROJECTED COSTS)
HANOVER	2,694	8,082	5,000	5,000	3,082
HARRISTON	777	2,331	N/A	N/A	2,331
HAWKESBURY	3,681	11,043	N/A	N/A	11,043
INGERSOLL	3,259	9,777	N/A	N/A	9,777
INNISFIL	7,750	23,250	N/A	N/A	23,250
KAPUSKASING	4,162	12,486	26,200	20,000	(7,514)
KEMPTVILLE	1,070	3,210	N/A	N/A	3,210
KENORA	4,015	12,045	225,000	157,500	(145,455)
KINCARDINE	2,416	7,248	10,693	7,632	(384)
KINGSTON	26,538	79,614	347,682	294,202	(214,588)
KINGSVILLE	2,094	6,282	N/A	N/A	6,282
KIRKLAND LAKE	5,108	15,324	300,636	197,202	(181,878)
LAKEFIELD	1,019	3,057	N/A	N/A	3,057
LEAMINGTON	4,928	14,784	43,000	31,000	(16,216)
LINDSAY	6,549	19,647	275,000	125,000	(105,353)
LISTOWEL	2,118	6,354	14,880	10,000	(3,646)
LONDON	117,145	351,435	1,227,470	1,082,865	(731,430)
MARATHON	1,326	3,978	3,200	3,200	778
MEAFORD	1,942	5,826	14,900	11,500	(5,674)
MERSEA	3,243	9,729	N/A	N/A	9,729

FORCE	NUMBER OF HOUSEHOLDS (1988)	$3.00 INCREASE PER HOUSEHOLD	PROJECTED RATES UNIFORM OFFICERS	PROJECTED RATES SPECIAL CONSTABLES	COST IMPACT ($3.00 GRANT VS SPECIAL CONSTABLES PROJECTED COSTS)
METROPOLITAN TORONTO	861,435	2,584,304	10,000,000	7,000,000	(4,415,696)
MICHIPICOTEN	1,692	5,076	106,509	71,000	(65,924)
MIDLAND	4,907	14,721	17,000	12,000	2,721
MILVERTON	551	1,653	N/A	N/A	1,653
MITCHELL	1,228	3,684	N/A	N/A	3,684
MOUNT FOREST	1,602	4,806	1,100	1,100	3,706
NEPEAN	34,557	103,671	N/A	N/A	103,671
NEW LISKEARD	2,070	6,210	N/A	N/A	6,210
NIAGARA REGION	145,426	436,278	965,640	596,128	(159,850)
NORTH BAY	19,492	58,476	561,121	453,855	(395,379)
NORWICH	3,182	9,546	N/A	N/A	9,546
ORANGEVILLE	5,339	16,017	112,000	92,178	(76,161)
ORILLIA	9,750	29,250	62,032	38,814	(9,564)
OTTAWA	139,623	418,869	1,407,197	1,036,047	(617,178)
OWEN SOUND	8,431	25,293	88,167	65,000	(39,707)
PALMERSTON	831	2,493	8,500	3,500	(16,943)
PARIS	2,916	8,748	N/A	N/A	8,748
PEEL REGION	201,656	604,968	600,160	516,680	88,288
PEMBROKE	5,649	16,947	87,306	47,040	(30,093)
PENETANGUISHENE	2,120	6,360	N/A	N/A	6,360

FORCE	NUMBER OF HOUSEHOLDS (1988)	$3.00 INCREASE PER HOUSEHOLD	PROJECTED RATES UNIFORM OFFICERS	PROJECTED RATES SPECIAL CONSTABLES	COST IMPACT ($3.00 GRANT VS SPECIAL CONSTABLES PROJECTED COSTS)
PERTH	2,530	7,590	95,000	63,000	(55,410)
PETERBOROUGH	25,343	76,029	206,307	129,256	(53,227)
PETROLIA	1,586	4,758	N/A	N/A	4,758
POINT EDWARD	893	2,679	N/A	N/A	2,679
PORT ELGIN	2,490	7,470	N/A	N/A	7,470
PORT HOPE	4,078	12,234	10,000	6,500	5,734
PRESCOTT	1,946	5,838	N/A	N/A	5,838
RED ROCK	493	1,479	N/A	N/A	1,479
RENFREW	3,376	10,128	112,560	57,000	(46,872)
SANDWICH WEST	4,548	13,644	N/A	N/A	13,644
SARNIA	20,449	61,347	576,053	309,300	(247,953)
SAULT STE. MARIE	30,116	90,348	484,000	308,000	(217,652)
SEAFORTH	885	2,655	N/A	N/A	2,655
SHELBURNE	1,162	3,486	N/A	N/A	3,486
SMITHS FALLS	3,836	11,508	N/A	N/A	11,508
SOUTHAMPTON	1,740	5,220	12,122	7,000	(1,780)
STIRLING	717	2,151	N/A	N/A	2,151
STRATFORD	10,889	32,667	56,353	45,000	(12,333)
STRATHROY	3,432	10,296	4,623	1,836	8,460
STURGEON FALLS	2,251	6,753	N/A	N/A	6,753

FORCE	NUMBER OF HOUSEHOLDS (1988)	$3.00 INCREASE PER HOUSEHOLD	PROJECTED RATES UNIFORM OFFICERS	PROJECTED RATES SPECIAL CONSTABLES	COST IMPACT ($3.00 GRANT V$ SPECIAL CONSTABLES PROJECTED COSTS)
ST. CLAIR BEACH	1,030	3,090	N/A	N/A	3,090
ST. MARYS	1,957	5,871	N/A	N/A	5,871
ST. THOMAS	11,385	34,155	92,000	67,000	(32,845)
SUDBURY	58,325	174,975	335,000	301,500	(126,525)
TERRACE BAY	913	2,739	N/A	N/A	2,739
THORNBURY	920	2,760	N/A	N/A	2,760
THUNDER BAY	43,314	129,942	350,000	270,000	(140,058)
TILBURY	1,579	4,737	N/A	N/A	4,737
TILLSONBURG	4,525	13,575	11,284	9,775	3,800
TIMMINS	17,684	53,052	49,386	33,000	20,052
TRENTON	6,125	18,375	N/A	N/A	18,375
TWEED	719	2,157	N/A	N/A	2,157
WALKERTON	1,817	5,451	32,000	19,000	(13,549)
WALLACEBURG	4,358	13,074	1,872	1,080	11,994
WATERLOO	122,424	367,272	1,072,614	804,078	(436,806)
WINDSOR	76,958	230,874	795,000	541,251	(310,377)
WINGHAM	1,216	3,648	4,320	4,320	(672)
WOODSTOCK	10,463	31,389	150,000	110,000	(78,611)
YORK REGIONAL	128,360	385,080	2,603,057	1,519,744	(1,134,664)
TOTAL	2,938,348	8,818,134	29,302,016	20,372,293	(11,554,159)

4.

FOR ACTION

REPORT TO: Mr. J. Thompson, Secretary
Legislation Committee

FROM: Miss C. Coutts, Secretary
French Sub-Committee

DATE: 1989 April 18
COMM FILE:
DEPT FILE:

SUBJECT: ***RESPONSE TO CANADIAN PARENTS FOR FRENCH (ONTARIO)***

RECOMMENDATION:

That the City endorse the position taken by the Canadian Parents for French (Ontario) in response to the brief from the Alliance For the Preservation of English Canada proposing a Language Referendum.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

The French Sub-Committee was in receipt of correspondence received from the Canadian Parents for French (Ontario) responding to the Alliance for the Preservation of English Canada's proposal for a Language Referendum.

The Committee has read the brief presented by the Alliance For the Preservation of English Canada but it should be noted that the City of Hamilton has never received their brief but was obtained by the Province.

Attached for the information of the Committee is a copy of the brief submitted by APEC and a response by the Canadian Parents For French (Ontario).

CC/mec
Attached

CANADIAN PARENTS FOR FRENCH LETTERHEAD

D R A F T

A SUBMISSION TO

ALL MEMBERS OF CITY COUNCIL

FOR THE CORPORATION OF

SARNIA, ONTARIO, CANADA

In Response to the

Brief Proposing

A Language Referendum

From The

Alliance For the Preservation of English

September 6, 1988

SUBMITTED BY

CANADIAN PARENTS FOR FRENCH

SARNIA CHAPTER

David Sidenberg, President
street address

and

Angela Hughes, Vice President
1095 Cathcart Boulevard
Sarnia

Response to a Brief on a Language Referendum
before Sarnia City Council
September 6, 1988

My name is Angela Hughes. I am a Sarnia resident and a parent. I am here today on behalf of the Sarnia Chapter of the Canadian Parents for French. I am the Vice President of the Sarnia Chapter.

Canadian Parents for French is a nationwide volunteer organization that is deeply committed to the improvement of French Second-Language learning opportunities for Canada's young people.

CPF was founded in 1976 and has an active membership of 17,743 members in 192 local chapters from coast-to-coast.

In May of this year, Sarnia was chosen as the location for our annual provincial conference and annual meeting. As Sarnia residents we were extremely proud of the hospitality that the people of Sarnia extended to our members who came here from every corner of the province. It was the largest provincial conference in our history, and many people believe it was the most successful we ever held.

I am here today because our members are very disturbed with the proposal you have received from the Alliance for the Preservation of English; APEC.

I would like to make three main points.

1. The brief presented by APEC is riddled with serious factual errors.

2. APEC's brief denies the historical, constitutional and legal rights of millions of our fellow Canadians; and

3. We are deeply concerned that APEC's pressure on Council might lead to a decision that would undermine our city's reputation for hospitality, generosity, and an appreciation of Canada's history and Canada's people.

The Sarnia Chapter of Canadian Parents for French decided it could not stand by and allow the APEC brief to be presented here without a response. It is much too important an issue to take for granted that Council will vote it down unanimously, which is what we hope you will do.

If I may, I would like to point out some of the factual errors in the APEC document. When you hear them, it will be clear that APEC's request for a language referendum is not based on fact. It will become equally clear that APEC'S opinions are based on a profound lack of understanding of Canadian history and Canadian law.

Let me give you some examples:

In his letter to the Members of Council, the president of APEC says in his third paragraph that the Official Languages Act gives the Secretary of State "the authority and direction to bring pressure to bear on provinces and municipalities."

That is a total and utter fabrication.

The Official Languages Act affects only federal institutions. If the provinces want to provide French-language services they can enter freely into negotiations with the federal government. Ontario has not done that.

As for municipalities: As you know, they come under the exclusive jurisdiction of the Province of Ontario Municipal Act. The Official Languages Act does not affect Sarnia in any way.

APEC goes on to say that under the provisions of Ontario's French Language Services Act "pressure can be brought to bear on any municipality to provide French language services."

That is also untrue.

The French Language Services Act of Ontario specifically excludes municipalities.

In fact, only municipalities in designated areas of the Province may vote to provide French language services, under Section 16 of the French Language Services Act. Sarnia is not a designated area.

APEC says on page 3 of its brief that "All administrative services would have to be provided in two languages."

That is not so.

The province, not municipalities, the province will provide services to the public in English and French only where it is reasonable and necessary to do so, in designated areas. In Sudbury, for example, where 30 percent of the population speaks French.

APEC says municipal police forces will be affected by the Ontario French Language Services Act.

They are wrong again.

Services offered by municipalities are not affected by the French Language Services Act. It would be up to you, the City Council members to decide whether you wanted to offer French services. Only you can decide that.

Even provincially-funded agencies have the right to decide whether or not they will offer services in French. Nobody will decide that issue for them.

In any event, you get the idea.

APEC has made several serious factual errors in their brief, and the Canadian Parents for French ask only that you turn down their request for a referendum on language.

We thank you -- and I am sure that the more than 2,000 members of Sarnia's Francophone community, and tens of thousands of Sarnia residents of good faith will thank you.

NOV 25 1988

CANADIAN PARENTS FOR FRENCH
Suite 114, 121 Kennedy Avenue
Toronto

Tom Reid
Reid Management Ltd.
863-1280

For: Francois Larsen

From: Tom Reid Tom.

re SARNIA

The Sarnia Council split on the APEC resolution, but the mayor voted against it, so it was defeated.

Attached is the CPF brief to Council, which was also distributed to the media. Your brief arrived too late to be further incorporated into our own. We took what we could in the time we had.

Also attached is a sheet of "facts" that was distributed in the Council Chambers by APEC. There were 50 APEC members on hand for the presentation. There was much cheering and applauding for their points as they were presented.

The CPF members were very uncomfortable with the mood of the crowd, and with the fact that the politicians seemed to accept APEC'S arguments. (Although at least two aldermen did quote from the CPF brief before voting against the APEC resolution).

There are rumours that APEC is very active in municipalities across Southwestern Ontario. * * *

APEC distributed hundreds of these in Council Chambers.

d ou Know That:-

Of a population of 8,625,105 in Ontario only 5,605 are of French origin?

There are only 94,200 French-speaking pupils in tario?

The Federal Government spends $1,300,000. ily for French administration?

. Federal Government grants of $1,235,250 were iven to promote French language in Ontario?

. It costs $1,600,000 for French instruction in ambton County schools?

. 320 teachers have been imported from Quebec to ive French instruction when our own English peaking students who studied French could do the ork?

. Three French trustees have total governance of 6 pupils in a Francophone program at Northern at a ost of S146,100, plus $14,400 plus expenses for rustee costs?

What can you do about this?

Join or send financial support to APEC (The lliance for the Preservation of English in nada), P.O.Box 2614, Sarnia N7T 7V8

Please sign back and pass on to your neighbour.

CPF Canadian Parents for French (Ontario)
121 KENNEDY AVENUE, SUITE 114, TORONTO, ONTARIO M6S 2X8
TELEPHONE (416) 769-2330

RECEIVED
SEP 26 1988
CITY CLERKS

September 21, 1988

To The Clerk of the Municipality

re The Alliance for the Preservation of English in Canada; and Any Matter regarding the use of English or French Languages that may be brought before your Council.

Dear Sir or Madam

Canadian Parents for French (Ontario) hereby requests an opportunity to submit a brief to Council that documents serious factual errors and wrongful conclusions being presented to Ontario municipalities by the Alliance for the Preservation of English in Canada regarding Canada's Official Languages Act and Ontario's French Language Services Act, 1986.

If your municipality has taken APEC's brief seriously, the truth about the impact of these two pieces of legislation and the Municipal Act, on the issue of language of municipal administration, must be made known to your Council.

Despite what APEC members may have told your Council, there are NO laws of Canada or of Ontario that require a municipality to offer services in French. The Municipal Act is clear on the matter. If Council wants to function and offer services in English only, it may. You are not required to vote on the matter.

.../2

The attached brief covers this issue and several others in detail. Please place it before your Council for its consideration.

If Council requires any additional information, we will be pleased to respond immediately and to refer you to the specific laws that thoroughly protect your community's language rights.

Sincerely

Diane Carlucci
President

Diane Carlucci

Thomas E. Reid
Project Coordinator

Reid

CPF Canadian Parents for French (Ontario)
121 KENNEDY AVENUE, SUITE 114, TORONTO, ONTARIO M6S 2X8
TELEPHONE (416) 769-2330

A Brief to

ALL ONTARIO MUNICIPALITIES

from

CANADIAN PARENTS FOR FRENCH (ONTARIO)

in Response to

Any request from the Alliance for the Preservation of English in Canada for a Resolution or Referendum on Any Matter regarding the Use of the English or French Languages with respect to Municipalities.

September 21, 1988

A brief to

ALL ONTARIO MUNICIPALITIES

from

CANADIAN PARENTS FOR FRENCH (ONTARIO)

I. CANADIAN PARENTS FOR FRENCH (ONTARIO)

Canadian Parents for French (Ontario) is a volunteer organization dedicated to ensuring the availability of opportunities for our children to learn French as a second language. The vast majority of our members are Anglophones. We have more than 4600 members in Ontario, in 46 active local chapters.

CPF (ONTARIO) is a branch of the national association of Canadian Parents for French, which has more than 18,000 members across Canada.

II. OUR CONCERN

We are deeply concerned that a province-wide lobbying campaign by the Alliance for the Preservation of English in Canada could result in at least five very hurtful outcomes:

1. Our direct concern is that Trustees of Boards of Education might be influenced by a negative vote on a question concerning bilingualism or French-language services. The Trustees might conclude that they do not have to maintain or make available opportunities for our children to learn French as a second language.

2. Ontario municipalities, if they adopt any APEC recommendations without allowing an adequate opportunity for a full response from CPF, or any other group who disputes APEC's facts and conclusions, will be presumed to have acted unfairly and to have violated the principles of natural justice, which are the very foundation of British Common Law.

3. If a Council submits a question to the electorate on bilingualism or French-language services, when it is entirely unnecessary, the electorate might presume that the municipality was forced to do so. On that basis alone, voters might react negatively to the question.

4. Ontario municipalities that call for a referendum or plebiscite, when none is required, might be perceived to be anti-French.

5. Finally, and this is the greatest tragedy of all, if opportunities are restricted on learning French as a second language, the English-speaking majority of Ontario might never know the full richness of French, Canada's other founding language and culture.

It is for these reasons that we draw to your attention the facts and the law about bilingualism and French-language services as they relate to Ontario municipalities.

To arrive at the truth, we must point out the alarming misinformation in the APEC brief currently being circulated to municipalities.

III. APEC: WRONG IN THEIR INTERPRETATIONS WRONG IN THEIR CONCLUSIONS

1. APEC requests a referendum making English the official language of the "Province of Ontario, its government, institutions and services."

The fact is that English is already the language of administration for municipalities. Section 104a of the Municipal Act is clear on that issue (see Appendix 1).

Submitting the question to the electorate will serve no useful purpose, but could inflame community emotions along the lines of race, language and culture.

2. APEC says a municipality "could be required to provide French-language services in the event that Ontario was declared to be officially bilingual."

The Government of Ontario has taken great care in both the Municipal Act and the French Language Services Act to leave the choice of language of administration of municipalities entirely in the hands of the municipalities.

3. APEC wants to deny French-language services to French-speaking Ontarians because they are a minority.

The French-speaking Ontarian population in certain areas of the province is significant. It would be undemocratic to deny French-language services to French-speaking Ontarians in those areas where the population is so substantial that it warrants the services.

4. APEC is entirely wrong when it says "There is no historical, constitutional or legal requirement for the use of the French language in Ontario, except for recent legislation."

The French were probably the first Europeans to step on Ontario soil. The role of the French in Ontario history is both remarkable and undeniable. They have been in Ontario in steady proportion, with their own schools, since Confederation.

French-speaking Ontarians also have specific Constitutional rights. The Constitution Act embodies the Canadian Charter of Rights and Freedoms, and Section 16 is quite clear on French-language rights:

Section 16 (1) says: "English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada"; and

Section 16 (3) says: "Nothing in this Charter limits the authority of Parliament or a legislature to advance the equality of status or use of English and French."

With the French Language Services Act, 1986, the Province of Ontario decided to advance the equality of status of French. And the legislation was officially endorsed by all three parties.

So in fact there are historical, constitutional and legal requirements for the use of French in Ontario. Only municipalities have no requirement to use the French language.

5. APEC says there were no French-language services in Ontario prior to 1968.

Since Confederation, all three levels of government in Ontario have offered services to the public in French in areas where there was substantial numbers of French-speaking Ontarians.

The Official Languages Act, 1969, guarantees that the federal government will provide quality French-language services.

The Ontario French Language Services Act, 1986, performs a similar function, obliging the provincial government to provide quality French-language services in areas where there is a substantial population of French-speaking Ontarians.

That precedent is maintained today under the Municipal Act, Section 104a, which says that any municipality may function in French and English, and for that matter in any other language that is "reasonable." The matter of language is entirely in the hands of Council.

6. APEC says that for municipalities "All administrative services would have to be provided in two languages."

Municipalities are **not required** to provide any services in two languages.

7. APEC states that a municipality must "establish French-language services as a separate item in the budget."

This is impossible. No municipality is required to offer French-language services; so why would a budget be established?

Canadian Parents for French (Ontario)

APPENDIX 2

In the four-and-a-half page brief distributed to Ontario municipalities in August, the Alliance for Preservation of English in Canada made at least 16 errors of fact and reason.

The 16 errors are:

1. APEC requested a referendum.

   CPF replies: None is required. Municipal council determines a municipality's administrative language.

2. APEC decides municipalities "could be required to provide French-language services" if Ontario became officially bilingual.

   CPF replies: APEC is speculating unreasonably. Ontario has preserved the muncipality's right to determine its administrative language in two important pieces of legislation: The Municipal Act, and the French Language Services Act.

3. APEC demands the denial of French-language services to French-speaking Ontarians.

   CPF replies: It is undemocratic for any government to deny a fundamental right to a significant minority.

4. APEC says there is no "historical, constitutional or legal requirement for the use of the French language in Ontario."

   CPF replies: APEC is wrong on all three counts. See CPF brief page 6.

5. APEC says there were no French-language services in Ontario prior to 1968.

   CPF replies: All three levels of government in Ontario have offered services to the public in French since Confederation.

6. APEC says all municipal services "would have to be provided in two languages."

   CPF replies: No provincial or federal law requires municipalities to provide services in two languages.

7. APEC errs in listing municipal services, implying municipalities must provide their services in both English and French.

   CPF replies: No municipal services are required to be delivered in French.

8. APEC is wrong to say municipalities must provide services of "equal quality" in English and French.

   CPF replies: There is absolutely no requirement to provide services in French.

9. APEC claims that a municipality must establish a French-language services "budget."

CPF replies: Since no municipal services are required to be delivered in French, why would a budget be established?

APEC made a list of seven more services required to be delivered in French

10. ... job training and hiring ...

11. ... language courses for Council ...

12. ... translation ...

13. ... bilingual printing ...

14. ... translation of Council meetings ...

15. ... bilingual road signs ...

16. ... bilingual computer equipment.

CPF replies to 10 to 16: Since no municipality is required to provide municipal services in French, not one of these items is necessary.

* * *

I. SEP 6 1988

3b

Alliance for the Preservation of English in Canada

BOX 511, THORNHILL POST OFF

AUG 11 3 12 PM '88

August 5th, 1988

The Clerk of the Municipality

Dear Sir:

Re: A Language Referendum

The Alliance for the Preservation of English in Canada (APEC) is requesting all Municipalities in Ontario to hold a language referendum in conjunction with this year's municipal elections.

Enclosed herewith is material outlining the reasons why APEC is making this request and hopefully answering some of the questions which might arise in any discussion on this subject.

Would you therefore kindly place this request and the supporting material before Council for its consideration. It is important that Council have the opportunity to consider this matter prior to the usual motions concerning an election. If Council requires any additional information or clarification we would be only too pleased to assist. During business hours the writer can be reached at (416) 225-1123.

Yours very truly,

Ronald P. Leitch

Ronald P. Leitch
President

PHONE: (416) 764-APEC

Alliance for the Preservation of English in Canada

BOX 511, THORNHILL POST OFFICE, ONTARIO L3T 4A2

August 5th, 1988

To Members of Council

Dear Sirs:

Re: A Language Referendum

The enclosed material is intended to assist each of you in your deliberations on the request for a language referendum in your Municipality. Hopefully it will point up the need for the people to have a say in a matter which will eventually have such far reaching effects on all our lives.

Just as important, however, is your need to have an understanding of how your constituents feel about the present government's attitude towards Official Bilingualism and French Language Services. If it is your intention to remain in municipal politics you will be confronted with this problem in a very real way in the not too distant future.

Under the provisions of Bill C-72, the new Official Languages Act, the Secretary of State has the authority and direction to bring pressure to bear on provinces and municipalities to provide French language services.

The Ontario government has just released a task force report on Municipal Services in French. Under the provisions of Section 16 of Bill 8 (French Language Services Act), pressure can be brought to bear on any municipality to provide French Language Services. The task force report outlines just what is expected of any municipality in this regard.

Don't wait until municipalities have no options - act now! Give the municipal voters an opportunity to speak out on the language issue.

Federal and Provincial language legislation creates an artificial need for the use of the French language. This in turn creates a Special Status for one minority group, which is discriminatory and divisive.

Yours very truly,

Ronald P. Leitch

Ronald P. Leitch
President

PHONE: (416) 764-APEC

SUPPORT A LANGUAGE REFERENDUM

A. THE REFERENDUM QUESTION

ENGLISH SHALL BE THE OFFICIAL LANGUAGE OF THE PROVINCE OF ONTARIO, ITS GOVERNMENT, INSTITUTIONS AND SERVICES.

B. ISN'T THIS A PROVINCIAL MATTER?

1. "ON OCCASION THERE ARE QUESTIONS OF SUCH FUNDAMENTAL IMPORTANCE THAT CITIZENS SHOULD HAVE A DIRECT INPUT." A REFERENDUM IS THE ONLY MECHANISM TO ALLOW PEOPLE TO EXPRESS THEIR VIEWS ON A SPECIFIC ISSUE. THE PROVINCIAL GOVERNMENT IS DENYING PEOPLE THIS RIGHT, ALTHOUGH 67,000 HAVE PETITIONED THE GOVERNMENT FOR A REFERENDUM.

2. MUNICIPAL LANGUAGE REFERENDUMS WERE HELD IN MANITOBA IN 1983 WHEN THE PROVINCIAL GOVERNMENT REFUSED A REFERENDUM.

3. THERE ARE NO RESTRICTIONS ON MUNICIPALITIES WITH RESPECT TO THE SUBJECT MATTER OF REFERENDUMS. MUNICIPAL REFERENDUMS HAVE BEEN HELD ON SUCH SUBJECTS AS "NUCLEAR DISARMAMENT" AND "NUCLEAR FREE ZONES", BOTH FEDERAL MATTERS.

4. A MUNICIPALITY IS AN INSTITUTION OF GOVERNMENT, AND AS SUCH COULD BE REQUIRED TO PROVIDE FRENCH LANGUAGE SERVICES IN THE EVENT THAT ONTARIO WAS DECLARED TO BE OFFICIALLY BILINGUAL.

C. WHY THE ENGLISH LANGUAGE?

1. Ontario Population	9,101,691	-	100%
English-speaking Population (includes over 50 ethnic groups)	8,892,352	-	97.7%
Mother Tongue French	424,710	-	4.66%
French spoken in home	332,945	-	3.65%
Unilingual French	63,712	-	7/10 of 1%

(Figures from Statistics Canada 1986)

2. In Ontario, English is the language of communication for trade, commerce, science, business, air traffic control, and politics. It is also a national and international language.

3. The English language is a unifying factor among people of diverse ethnic origins.

D. ARE FRENCH LANGUAGE SERVICES NECESSARY?

1. Mother Tongue English	6,941,930	-	76.27%
Mother Tongue French	424,720	-	4.55%
Mother Tongue neither English nor French	1,609,035	-	17.68%

Other language groups outnumber French four to one.

2. There is no historical, constitutional or legal requirement for the use of the French language in Ontario, except for recent legislation.

3. There were no French Language Services in Ontario prior to 1968.

4. Mother Tongue French are not just French-speaking Canadians but include people from over 30 countries where French is spoken. Many of these people are very recent immigrants. There is no precedent for creating a special status for one group of immigrants.

E. WHAT ARE FRENCH LANGUAGE SERVICES?

1. All administrative services would have to be provided in two languages.

2. All "soft" or Social Services, which include the Fire Department, Municipal Police Force, Homes for the Aged, Public Health, Subsidized Housing, Recreational Services, Community Centres, Hydro Commissions.

3. Provincially subsidized programs, Senior Citizens' Homes, Childcare Centres, Non-profit Housing, Homes for Battered Women, Children's Aid Societies, Social Services, Health Centers.

F. MUNICIPAL RESPONSIBILITY

1. To provide services of equal quality in English and French.

2. Establish French Language Services as a separate item in the budget.

3. Establish job training and hiring policy to provide French Language Services.

4. French language courses for Council and Staff.

5. Translation into French of all public documents, e.g., by-laws, tax bills, and other information documents.

6. Printing of bilingual public documents.

7. Simultaneous translation services for Council meetings.

8. Bilingual road signs and other directional signs, e.g., washrooms, offices.

9. Bilingual computer equipment and typewriters

G. COSTS

1. It is the taxpayer who pays. Regardless of which government pocket (federal, provincial or municipal), the money comes from, the taxpayer is the origin of all government revenue.

2. The federal government admits to spending $1.3 million dollars per day on official bilingualism. That figure is two years old.

3. The Ontario government conceals its French Language Services costs. Even MPP's have been unable to penetrate the veil of secrecy.

4. Some Known Costs

Government Implementation of Bill 8	-	$14. million
Statute Translation	-	8. million
(By 1991 this amount will be)	-	24. million
Ontario Science Center	-	12. million
95 additional civil servants (admitted to so far)		
estimated salaries	-	3.8 million annually

H. INFORMATION SOURCE

1. Battle Over Bilingualism - Russell Doern
2. Municipal Act, RSO 1980
3. Statistics Canada 1986
4. Language in Society - Summer 1988
5. Report of the Task Force on Municipal Services in French
6. Official Language Commissioner's 1987 Annual Report
7. Article in Richmond Hill Liberal, July 20, 1988 - Don Cousens, M.P.P., Markham
8. Bill 8 - French Language Services Act, 1986
9. Bill C-72 - Official Languages Act, 1988

5.

Corporation of the City of Hami

Memorandum

****

TO: Chairman and Members
Legislation Committee

YOUR FILE:

FROM: John Thompson, Secretary
Legislation Committee

OUR FILE:
PHONE:

SUBJECT: 1989 AMO ANNUAL CONFERENCE

DATE: 1989 April 27

The 1989 annual conference of the Association of Municipalities of Ontario will be held this year in the City of Toronto, 1989 August 20 to August 23.

The City of Hamilton is allowed a maximum allotment of seven (7) voting delegates for this conference. Voting delegates must be appointed by Council resolution and the registration form certified by the City Clerk.

In 1988 City Council, on the recommendation of the Legislation Committee, approved that members of City Council wishing to do so be authorized to attend the conference.

John Thompson

JT:mjw

AMO

Association of Municipalities of Ontario

Suite 805 • 100 University Avenue, Toronto, Ontario M5J 1V6 • Telephone 593-1441

1989 AMO ANNUAL CONFERENCE
Sunday, August 20th to Wednesday, August 23rd, 1989
Royal York Hotel, Toronto
CONVENTION INFORMATION SHEET

FAXED REGISTRATION/ROOM REQUEST FORMS WILL NOT BE ACCEPTABLE

REGISTRATION FORM

Conference registration cards and badges for all delegates, visitors and companions are prepared from the enclosed delegate registration from. As we would like to have accuracy and uniformity in our delegates' badges, your attention to this form would be appreciated. Please complete this form whether or not you require accommodation.

REGISTRATION FEES	Received at AMO by July 14, 1989	Received after July 14, 1989
Delegate or Visitor	$240.00	$260.00
Companion	80.00	90.00

Please make your cheque payable to:
Association of Municipalities of Ontario.

PREPAID REGISTRATION AND SPECIAL CONFERENCE BADGES

Since the production of the badges requires additional effort, as well as cost, it has been decided to produce specially printed badges only for those completing pre-payment of registration fees by July 14, 1989.

All other registrants will receive typed conference badges.

DEADLINE FOR CONFERENCE RESOLUTIONS - Friday, June 2nd, 1989

All members are reminded that the deadline for submitting resolutions to AMO for the Annual Conference is June 2nd, 1989. Resolutions received after this date will not be printed in the resolutions book, but may appear in the Late Resolutions Report, and will be debated as last priority. Municipalities submitting late emergency resolutions to AMO, after July 20th, 1989 must forward to AMO sufficient number of typed copies for distribution on the conference floor.

.../2

ACCOMMODATION PROCEDURE

ALL RESERVATIONS MUST BE MADE THROUGH THE AMO OFFICES.
Reservations will not be taken by the hotel directly. All room requests must be in writing and accompanied by appropriate deposit. Please do not attempt to phone in reservations.

A block of rooms cannot be held under a municipality's name. Individual names of delegates must be provided to secure rooms.

A RESERVATION WILL NOT BE MADE UNTIL THE APPROPRIATE DEPOSIT FOR THE FIRST NIGHT'S ACCOMMODATION IS RECEIVED

Regardless of the type of room requested, $100.00 will be sufficient to fulfil the deposit requirement. For example, if a large suite is requested, a deposit of $100.00 will process the reservation. Deposit cheques should be payable to: **Association of Municipalities of Ontario (AMO). Please send all cheques and forms to the AMO offices only.**

ACCOMMODATION IS PROVIDED ON A FIRST COME FIRST SERVE BASIS

We encourage you to send in your completed forms as soon as possible. Our cut-off for keeping our blocks of rooms in full is thirty (30) days prior to the conference, after which time we are in a negotiating position with the hotels if we have not filled a certain percentage of rooms. August is a very busy month for Toronto hotels, and unless rooms are reserved it is difficult to hold them. Therefore, AMO **CANNOT** guarantee accommodation after July 14th, 1989. If required, another hotel will be used only after the room block at the Royal York Hotel has been filled. Room rates will vary in an overflow situation.

ACCOMMODATION CONFIRMATIONS WILL BE SENT DIRECTLY FROM THE AMO OFFICES

CANCELLATIONS SHOULD BE MADE THROUGH THE AMO OFFICES

Please notify the AMO offices of cancellation as soon as they occur, as we always have a waiting list for accommodation. Room cancellations received by Friday, August 11th, 1989 will be refunded in full. After which time, any "NO SHOWS", will forfeit their deposit.

If you have any questions or cancellations, please contact the AMO offices at (416) 593-1441.

1989 ACCOMMODATION RATES

A special rate has been extended by the Royal York Hotel to the Association for our Annual Conference as follows:

Single: $98.00	Twin or Double: $114.00
(one person)	(two people)

Three or more to a room costs regular rate, plus $16.00 for a fold-away bed.

There is no charge for children 14 years of age and under occupying room with one or both parents. If one or more children are accompanied by both parents and more than one room is required, the single rate will apply for each room.

OTHER ACCOMMODATION AVAILABLE

Studio suites	$250.00
Small suites	$325.00
Medium suites	$425.00
Large suites	$550.00 +

A STUDIO SUITE consists of a parlour and bedroom, divided by a lattice partition.

A SMALL SUITE consists of a parlour accommodating 10 people (standing) and one bedroom.

A MEDIUM SUITE consists of a parlour accommodating 20 people (standing) and one bedroom

AS LARGE SUITE consists of a parlour accommodating 35 - 40 people (standing) and one or two bedrooms.

* LIMITED DOUBLE BEDS ARE AVAILABLE UPON REQUEST
* CHECK-OUT TIME IS 1:00 P.M. - ADDITIONAL CHARGE THEREAFTER
* RESERVATIONS HELD UNTIL 6:00 P.M. UNLESS LATE ARRIVAL SPECIFIED
* DO NOT SEND ROOM RESERVATIONS OR DEPOSITS TO THE HOTEL DIRECTLY ... PLEASE SEND THEM TO THE AMO OFFICES ONLY

1989 AMO ANNUAL CONFERENCE

VOTING DELEGATES OFFICIAL ACCREDITATION FORM

The following information is being supplied to you in connection with the Annual Conference of the Association to be held at the Royal York Hotel, Toronto, from August 20th to 23rd, 1989. This form is supplied to your council for the purpose of registering its allotment of voting delegates for the Conference. In this regard, we request that you observe the following procedures:

1. 1989 AMO membership fees must be paid by May 31st, 1989 in order to qualify for your allotted number of voting delegates.

2. Voting delegates must be appointed by council resolution and the registration form certified by the Clerk of your municipality.

3. In the event of a change in the council appointment of voting delegates, the changes must be submitted by certified notice.

4. A voting delegate shall have one vote only.

5. Please complete the attached form and return to the Association offices as quickly as possible.

Deadline Date for Registration of Voting Delegates
August 4th, 1989

Please note: In addition to a schedule set out on the reverse side, all members of the Board of Directors of AMO are granted a voting privilege by virtue of holding office on the Board. These voting privileges are in addition to the allotment granted to their own municipality.

... 2/

SCHEDULE OF VOTING DELEGATES

Member Municipalities

POPULATION	NO. OF VOTING DELEGATES
under 5,000	2
5,000 to 14,999	3
15,000 to 49,999	4
50,000 to 99,999	5
100,000 to 199,999	6
200,000 to 349,999	7
over 350,000	8

Counties, Metropolitan, Regional and District Member Municipalities

POPULATION	NO. OF VOTING DELEGATES
0 to 49,999	2
50,000 to 100,000	3
over 100,000	4

Territorial district municipal associations shall each be entitled to one voting delegate.

MEMORANDUM • CITY OF HAMILTON

6.

TO :John Thompson, Secretary
Legislation Committee

YOUR FILE:

FROM :S. J. Dembe, Manager
Licence Division

OUR FILE :

SUBJECT :Notice to Transient Flower Vendors/
Service Station Owners

DATE 25 April 1989

BACKGROUND:

In light of the most recent legal opinion received from Ms. Lian Lawrence, City Solicitor's Office, dated 1989 April 19 regarding the sale of flowers from service station lots, a copy of which you forwarded to all Members of the Legislation Committee on 1989 April 20, this is to inform you officially that the attached notice was sent to the service station owners and flower vendors.

A majority of the Members of the Legislation Committee was made aware of the contents of the notice prior to it being delivered on 1989 April 25 to the service station owners and flower vendors.

I am also enclosing for your further review, a copy of Ms. Lawrence's letter of 1989 April 19 containing a legal interpretation Section 210 (151b) of the Municipal Act regarding flower sales and the meaning of "service stations"

Attachments

c.c. Ms. L. Lawrence
City Solicitor's Office

SD/be

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

25 April 1989

NOTICE TO TRANSIENT FLOWER VENDORS/SERVICE STATION OWNERS

Re: Enforcement of By-laws respecting Flower Sales

Dear Sir/Madam:

In light of a further legal opinion which was directed to be received by the Legislation Committee at its meeting held on April 13, 1989, the Committee has decided to take no action at this time.

Notwithstanding the above, all Flower Vendors should keep all flowers and signs from encroaching on the City/Regional road allowance.

Thank you for your co-operation.

Yours very truly,

S. J. Dembe, Manager
Licence Division

SJD/hm

Corporation of the City of Hamilton

Memorandum

****

TO: Mr. E. A. Simpson,
City Clerk
Attn: Mr. S. J. Dembe,
Manager, Licence Division

YOUR FILE:

FROM: Lian Lawrence,
City Solicitor's Department

OUR FILE: 130-43/89.1
130-37.5

SUBJECT: Legislation Committee - April 13, 1989 - Transient Flower Vendors - Section 210 (151b) of the Municipal Act Regarding Flower Sales - Meaning of "Service Stations"

DATE: 1989 April 19

As requested by the Legislation Committee at the above-captioned meeting, I have reviewed paragraph 151 of Section 210 of the Municipal Act and would advise as follows.

1. Paragraph 151 of S. 210 of the Municipal Act authorizes municipalities to license and regulate automobile service stations as defined in paragraph 151(a).

Automobile service stations that are licensed and regulated pursuant to paragraph 151 are also subject to the statutory prohibition in paragraph 151(b).

Paragraph 149 of S. 210 of the Municipal act authorizes the municipality to license and regulate public garages. Public garages are defined in paragraph 149(a) to include automobile service stations as defined in paragraph 151(a). In other words, a public garage may be an automobile service station, but is not necessarily so.

Public garages, including automobile service stations, that are licensed and regulated pursuant to paragraph 149 are not subject to a statutory prohibition similar to that contained in paragraph 151(b).

In my opinion, these two paragraphs provide two separate and distinct statutory schemes for the regulation of "service stations": one for the licensing and regulation of public garages within the meaning of paragraph 149(a), which may or may not include automobile service stations as defined in paragraph 151(a), and one for the licensing and regulating of automobile service stations as defined in paragraph 151(a) specifically.

COPIES DISTRIBUTED TO THE MEMBERS OF THE LEGISLATION COMMITTEE THURSDAY, 1989 APRIL 20

2. The City of Hamilton Licensing By-law No. 79-323 contains a Schedule 32 which regulates the licensing of public garages. This Schedule must have been enacted pursuant to the authority of predecessor sections of paragraph 149 of S. 210 of the Municipal Act.

Licensing By-law No. 79-323 does not contain a separate schedule to regulate the licensing of automobile service stations, pursuant to the authority in paragraph 151 of S. 210 of the Municipal Act, or a predecessor thereof.

Automobile Service Stations are licensed and regulated under Schedule 32 as Class "C" Public Garages.

3. A Class "C" Garage is defined in S. 3(2)(c) of Schedule 32 to be,

> "an automobile service station within the meaning of the licensing provisions of the Municipal Act".

On the surface, this might appear to license and regulate automobile service stations under paragraph 151 of S. 210 of the Municipal Act. However, as noted, paragraph 149(a) of S. 210 defines public garages to include automobile service stations as defined by paragraph 151(a).

In addition, paragraph 5 of S. 10 of Schedule 32, which establishes the licence fee for Class "C" Garages, refers to

> "a public garage that is an automobile service station within the meaning of the provisions of paragraph 131 [now 149] as defined in clause a of paragraph 132 [now 151] of Section 354 [now 210] of the Municipal Act, R.S.O. 1970, c. 284 [now R.S.O. 1980, c. 302]. [Emphasis added.]

This suggests to me that automobile service stations are in fact licensed by the City under Schedule 32 to the Licensing By-law as Class "C" Public Garages, pursuant to the authority in paragraph 149 of S. 210 of the Municipal Act; they are merely defined in accordance with paragraph 151(a) of S. 210 of the Municipal Act.

4. Accordingly, it would appear that all public garages in the City, including automobile service stations, are now regulated under Schedule 32 of the Licensing By-law No. 79-323, pursuant to paragraph 149 of S. 210 of the Municipal Act. That being the case, paragraph 151 of S. 210 would have limited, if any, applicability to "service stations" in the City.

Please check the licences of the "service station" operators to whom Notices in respect of the above-captioned matter were sent, in order to ascertain whether these stations are in fact licensed as a public garage under Schedule 32 of Licensing By-law No. 79-323, or a predecessor thereof.

5. In light of the foregoing, it would appear that only those service stations that are licensed as an automobile service station pursuant to a by-law passed under the authority of paragraph 151 of S. 210 of the Municipal Act are subject to the statutory prohibition in paragraph 151(b).

Even then, it is open to question whether the intent of paragraph 151(b) is to prohibit the on-site storage and sale of any merchandise, including flowers, that is not specifically listed in paragraph 151(a), as a literal interpretation would seem to suggest.

Or, whether the intent of paragraph 151(b) is to prohibit the on-site storage and sale of large automotive-related articles such as motors, as the context of paragraph 151, taken as a whole, would seem to suggest.

6. In this regard, please be advised that should a future court case arise in respect of paragraph 151 of S. 210 of the Municipal Act, we would expect a defendant to argue that, in construing and applying that paragraph, the Court should have regard to the mischief or nuisance that the legislature intended to control by enacting the legislation. The intent of the legislature is generally determined by reviewing and analyzing the context of the legislation.

In the case of paragraph 151, it looks as if the nuisance sought to be controlled might have been the unsightly or noisy impact on neighbours from the sale, repair, or storage of such things as chassis, frames, engines, axles, bodies, transmissions, or other large and dirty automotive components. In other words, one could argue that by focusing on the inclusion of small and clean automotive-related parts in clause (a) of paragraph 151, the legislature intended to exclude large and dirty automotive-related parts from the definition of automobile service stations. And it is that exclusion that clause (b) of paragraph 151 reinforces by way of a prohibition. The strict limitation to storage, repair and sale of small, clean automotive parts, in conjunction with the references to enclosed buildings and display windows necessarily implies a strict prohibition on the storage, repair and sale of large, dirty automotive parts that are not easily contained in enclosed buildings.

On this interpretation, the sale of non-automotive goods, such as flowers, would not be caught by the prohibition in paragraph 151(b), since the legislation was not intended to apply to same.

7. For your reference, I attach hereto a copy of paragraphs 149 and 151 of Section 210 of the Municipal Act.

Lian Lawrence,
for K. A. Rouff,
City Solicitor.

LL:js
Attach
c.c. Alderman D. Ross

146. For prohibiting the pulling down or defacing of signs or other advertising devices and notices lawfully affixed. Pulling down of signs and notices

147. For prohibiting, regulating and inspecting the discharge of any gaseous, liquid or solid matter into land drainage works, private branch drains and connections to any sewer, sewer system or sewage works for the carrying away of domestic sewage or industrial wastes or both, whether connected to a treatment works or not. Control of sewage

(*a*) A person appointed by the council to carry out inspections under this paragraph may, for the purpose of carrying out such inspections, enter in or upon any land or premises except land or premises being used as a dwelling at any time without a warrant, and may take such tests and samples as are necessary for the purposes of the inspection.

Trades and Businesses

148. For requiring every dealer in coal who takes orders for coal for future delivery, and accepts payment in full or on account of such order, to deliver to the purchaser the coal so ordered within the time or times fixed by the by-law. Fixing time for delivery of coal

149. For licensing and regulating the owners or operators of public garages, and for fixing the fees for such licences, and for revoking such licences, and for imposing penalties for breaches of such by-law and for the collection thereof. Public garages, licensing, etc.

(*a*) For the purpose of this paragraph, a public garage includes an automobile service station as defined in clause (*a*) of paragraph 151, a parking station or a parking lot or a building or place where motor vehicles are hired or kept or used for hire or where such vehicles or gasoline or oils are stored or kept for sale, and a building or place used as a motor vehicle repair shop or for washing or cleaning motor vehicles.

150. For requiring the owners or operators of parking lots or other parking facilities to which the public has access, whether on payment of a fee or otherwise, to provide designated parking spaces for the sole use of vehicles operated by or conveying a physically handicapped person and in respect of which a permit has been issued under a by-law passed by the council under paragraph 119 and for prohibiting the use of such spaces by other vehicles. Parking facilities for handicapped persons

(*a*) A by-law passed under this paragraph may specify the dimensions of parking spaces to be provided for

the sole use of vehicles operated by or carrying a physically handicapped person and for the number of such spaces to be provided by each owner or operator of a parking lot or other parking facility, which number may be based upon a proportion of the total number of parking spaces in the parking lot or parking facility to which the public has access.

Automobile service stations in restricted areas

151. For licensing, regulating and governing the owners or keepers of automobile service stations located or erected within any defined area or areas or on land abutting on any defined highway or part of a highway in which area or areas or on which land the erection or location of garages to be used for hire or gain or gasoline and oil filling stations is prohibited by a by-law, and for fixing a fee not exceeding $10 for such licence, and for providing that a licence shall not be granted to any person as an owner of a public garage located or erected within any such area or on any such land notwithstanding that prior to the passing of this section any such person may have been granted a licence as the owner of a public garage.

(*a*) For the purposes of this paragraph, an automobile service station means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.

(*b*) No person owning or keeping an automobile service station licensed under this paragraph shall use or permit it to be used for the purpose of wrecking, parking, storing or selling motor vehicles, or, except in an enclosed building, for washing motor vehicles, or for vulcanizing tires or tubes or for exhibiting for sale any accessories mentioned in clause (*a*) except in an enclosed building, or for exhibiting the same for sale in any display window, or for performing therein any repairs to motor vehicles other than those mentioned in clause (*a*), or for storing and keeping for sale any article, accessory or merchandise of any kind other than those expressly mentioned in clause (*a*) hereof, and it is the duty of such owner or keeper to prevent the use of an automobile service station for any such prohibited purpose.

(*c*) The owner or keeper of an automobile service station guilty of any infraction of any of the provisions of clause (*b*) is subject to the penalties set forth in the by-law permitting the location or erection thereof or the licensing of the same as for an infraction of such by-law.

(*d*) Nothing in this paragraph shall be deemed to authorize the location or erection of any automobile service station contrary to any by-law in force under section 39 of the *Planning Act* or a predecessor of such section. R.S.O. 1980, c. 379

(*e*) A licence may be required under this paragraph in addition to a licence under paragraph 149. R.S.O. 1980, c. 302, s. 210, pars. 145-151.

152. REPEALED: R.S.O. 1980, c. 302, s. 502 (1).

153. For licensing, regulating and governing the owners or operators of car washes, and for revoking such licences. **Car washes**

(*a*) For the purpose of this paragraph, a car wash means a building or place where motor vehicles are washed, cleaned or polished for a fee or charge.

(*b*) This paragraph does not apply to an owner or operator licensed under a by-law passed under paragraph 149 or 151.

154. For regulating, controlling and inspecting heating and cooking appliances, or any classes thereof, the installation thereof and the storage of fuel for use in connection therewith. **Heating and cooking equipment**

155. For licensing, regulating and governing persons engaged in the installation of hot air, hot water and steam heating equipment of any kind. **Persons installing heating equipment**

156. For the purposes of any by-law passed under paragraph 154 or 155, or paragraph 6 of section 46 of the *Planning Act*, for adopting by reference to the Ontario Regulations as amended from time to time the codes and standards or the parts thereof as adopted and changed by the Ontario Energy Board by regulation under the *Ontario Energy Board Act*. **Adoption of codes and standards** R.S.O. 1980, cc. 379, 332

157. For licensing, regulating and governing lending libraries that are carried on or operated for the purpose of profit or gain. **Lending libraries**

(*a*) The fee to be paid for the licence shall not exceed $2.

(*b*) Nothing in this paragraph applies to or affects the lending or circulation of books, magazines, periodi-

CA4 ON HBL AQS
C51L2
1989

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 June 15

N O T I C E O F M E E T I N G

Legislation Committee
Monday, 1989 June 19
9:30 o'clock a.m.
Room 233, City Hall

John Thompson, Secretary
Legislation Committee

JT:mjw

A G E N D A

HAMILTON PUBLIC LIBRARY
JUN 30 1989
GOVERNMENT DOCUMENTS

A. **DELEGATIONS**

9:30 o'clock a.m. - South West Neighbourhood Group
Re: Gun Shop Operation -
122 Locke Street South

9:45 o'clock a.m. - Hamilton-Wentworth Interagency Council on Smoking and Health - Licencing Tobacco Outlets

10:00 o'clock a.m. - Ms. Janice Wilson -
Repealing of By-law No. 86-343,
To Regulate and Control Cats

NOTE: Following documents enclosed:

(a) Formal Request of Ms. J. Wilson

(b) Letter from Alderman D. Drury

(c) Report and Recommendation from Mr. Cam Stableford, General Manager, Hamilton S.P.C.A.

(d) Copies of the Minutes of the Animal Control Sub-Committee

(e) Copy of By-law No. 86-343, To Regulate and Control Cats

1. Approval of the Minutes of the Meeting of the Legislation Committee held 1989 May 01.

2. BY-LAW AMENDMENT TO PROVIDE FOR TAXI-CAB ADVERTISING,

3. (a) REPORT OF THE MANAGER, LICENCING DIVISION DATED 1989 APRIL 25 RE NOTICE TO TRANSIENT FLOWER VENDORS/SERVICE STATION OWNERS

Tabled at the Legislation Committee meeting held 1989 May 01

(b) RECOMMENDATION OF THE MANAGER, LICENCING DIVISION FOR A REVIEW OF THE TRANSIENT TRADER'S BY-LAW

4. LICENCING COMMITTEE - HANDBILL DISTRIBUTORS

5. MANAGER, LICENCING DIVISION -

Report on Items Requiring Attention

6. SPECIAL OCCASION PERMIT

St. Mary's Portuguese Church

7. USE OF CITY HALL FACILITIES

(a) Hamilton Veterans' Committee - Canadian Polish Congress

(b) Hamilton and District Labour Council

Flying of C.L.C. Flag

(c) Theatre Aquarius

Model Display

(d) The Royal Scottish Country Dance Society

City Hall Forecourt

8. STAFF ADVISORY TEAM

Request for Funding

9. RESOLUTIONS

(a) Township of South Crosby

Unconditional Grant Program

(b) City of Guelph

Recycling Program for Telephone Directories

10. NEW BUSINESS

11. ADJOURNMENT

OUTSTANDING ITEMS

LEGISLATION COMMITTEE

	ITEM	ORIGINAL DATE	ACTION	STATUS
1.	Review Civic Award Policy and Regulations	1988 December 05	Legislation Committee	Report to Follow
2.	Policy for Special and Public Meetings	1989 January 23	Staff	Report to Follow
3.	Policy for Use of Council Chambers	1989 January 23	Staff	Report to Follow
4.	Police Report on Licencing Function	1989 January 23	Regional Police	Report Pending
5.	General Public Review of Licencing By-law No. 79-323 Re Taxis and Livery Vehicles	1989 January 23	Taxi-cab Legislation Review Sub-Committee	Review Proceeding Public Meeting 1989 April 24
6.	Regionalization of Bingo Lottery Licences	1989 January 23	Licencing Committee	Report to Follow
7.	Street Vendors Permit South West Corner King and James Streets	1989 April 13	Manager, Licencing Division	Report Pending
8.	Per Diem Rate	1989 April 13	Treasurer	Report Pending

M E M O

9:30

TO: Alderman T. Cooke
Alderman M. Kiss

FROM: S. J. Dembe, Manager, Licence Division
D. Barrow, Senior Licence Inspector

DATE: June 14, 1989

SUBJECT: Gun Control

Enclosed are the following documents for your consideration:

Document #1 - Report from the City Solicitor's Department which outlines the following: (1) Regulation of Firearms
(2) Discharge of Firearms
(3) Zoning
(4) Sale of Used Guns

Document #2 - Report from the Building Department: 122 Locke Street South is zoned "H" Commercial which permits the sale of guns and ammunition.

For your information, most municipalities do not regulate **"the type"** of retail store if the area is properly zoned for a retail store business. For example, Toronto, Scarborough, Dundas and Stoney Creek do not restrict retail stores as to what they can sell in an area zoned specifically for retail stores.

Etobicoke indicated that their Zoning By-law had no definition of a retail store, therefore, such a definition is subject to interpretation. As a result, the municipality might be able to restrict certain types of retail stores to specifically zoned areas.

Document #3 - The Municipal Act - 210/29 - Only permits the municipality to regulate the discharge of firearms.

Document #4 - City of Hamilton Streets By-law 9329, Section 15(1), regulates the discharge of firearms.

Document #5 - Report from Fire Prevention regarding the requirements for 122 Locke Street South, i.e., portable fire extinguishers, fire safety plan and the controls of the Explosives Act and Explosives Regulations.

Document #6 - The Hamilton-Wentworth Regional Police; FCM and AMO

Document #7 - Letter from Staff Sgt. R. G. Wiles, Local Registrar of Firearms, Ontario Provincial of Police.

The Criminal Code of Canada regulates the buying and selling of firearms in the municipality. Staff Sgt. Wiles has outlined in the letter the requirements of an applicant who wishes to open a firearms business:

If the business is to be located at your residence, the applicant must submit a letter from the municipality stating that the firearms business will not contravene any municipal by-laws or regulations and that the municipality has no objection to the business operating within their jurisdiction.

Document #8 - Outlines the regulations for the control of restrictive weapons and firearms.

Document #9 - A Guide for businessmen who deal in firearms and ammunition.

The administration of these gun control regulations is monitored by the Solicitor General's department.

Document #10 - Premises licensed for the sale of firearms.

Corporation of the City of Hamilton

Memorandum

****

TO: Alderman M. Kiss
Alderman, Ward 1

YOUR FILE:

FROM: Philip R.A. Hooker
City Solicitor's Department

OUR FILE: 130-0/89.1
60-3/89.1

SUBJECT: Gun Control Laws

DATE: 1989 May 30

In reference to your May 26th, 1989 memo received on May 29th, 1989, the questions you raised are as follows:

1. the sale and/or purchase of firearms, guns of any type in the City of Hamilton;

2. any City by-laws respecting this;

3. any restrictions or limitations with respect to our zoning or building by-laws regarding the sale of firearms (guns);

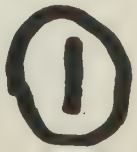
4. the right of City Council to enact legislation in certain neighbourhoods restricting the sale of firearms.

I reply in the same order, as follows:--

Who Regulates

1. Except as noted in answers 2-4, below, the whole subject of firearms control is a matter solely of federal legislation in the sphere of "criminal law" and "peace, order and good government." Part II of the Criminal Code of Canada (enforced by the Regional Police locally), Sections 82-106.9 and s. 446 (seizure of property) covers this in great detail, over pages 71-108 and 435-440.

   The Criminal Code deals with such "firearms/weapons" subjects as - definitions, use during commission of an offence, pointing a firearm, possession of weapons for purposes dangerous to the public peace, carrying concealed weapons, possession of unregistered restricted weapons, sale to minors (under 16), wrongful delivery (to drunkards, persons of unsound mind, etc.), importing or delivering prohibited weapons, lack of permit to possess a restricted weapon, lack of a firearms control certificate, seizure, forfeiture, etc.



2. **Discharging Firearms Within City Limits**

The City as far as we are aware, has no by-law restricting or controlling gun or firearm, purchases or transfers as such, because this is regulated federally, as noted. The City has no power to legislate in the criminal law domain.

The City's Streets By-law, 9329, as amended, does provide, in section 15(1), that no gun firearm, air-gun or spring-gun of any class or type shall be discharged by anyone anywhere in the City of Hamilton (geographic boundaries.) It reads:

"15. (1) Firearms. No person shall discharge any gun or other firearm, air-gun or spring gun of any class or type, anywhere in the City of Hamilton.

Provided, however, that this prohibition shall not apply to the discharge of firearms,

(a) in properly constructed and supervised rifle ranges; or

(b) in shooting galleries licensed by the Board of Commissioners of Police; or

(c) by police officers or employees of the City Corporation carrying out their proper duties in the killing of stray pigeons, vicious dogs, or otherwise."

3. **Zoning By-law 6593**

The Building or Planning Departments could advise you which zoning districts of the City are designated and thus appropriate for the establishment of stores or premises to sell firearms or guns.
The present yellow pages telephone directory lists "gun shops" at --1279 Main Street East
583 Barton Street East
428 King Street West
96 Kenilworth Avenue North
1467 Main Street East

(There may be others also in existence but the above are advertised Hamilton locations in Bell Canada's Yellow Pages. For instance, I believe that most Canadian Tire stores, hardware stores, etc. sell new guns.)

4. A municipal Council's powers in relation to zoning are only those found in section 34(1), paragraph 4 of The Planning Act, 1983) (Ontario), which permits Council to regulate, through a zoning by-law, only such matters as;
- type of construction of a building or structure
- height, bulk, location, size, floor area, spacing of buildings or structures
- character and use of buildings or structures
and - lot coverage, minimum frontage and depth of land parcel, etc.

Since the zoning by-law is general in nature, its provisions relate to the whole City, without exception.

Accordingly, if gunshops were permitted by the zoning by-law in, say, zone "XY" (designation invented by me, purely for discussion purposes only), then in any "XY" zone, regardless of where it is located in the City of Hamilton, one could legally establish or operate a shop for sales, trades, servicing, repairing, etc. firearms or "guns."

Ascertaining Permitted Districts

As noted, the Building or Planning Departments are being requested, by copy hereof, to advise you and me which zoning districts would permit such establishments.

It should be noted that a municipality cannot "zone" through the licensing process, so if the zoning already permits a gunshop in a certain area, the licensing by-law cannot be used, on account of proposed shop location, to deny a licence.

Sale of Used Guns

However, if the operator required a City licence, and was found to be of bad character, as proven by a police record of criminal convictions of recent years involving violence, firearms or other weapons, then no doubt the police would so advise the Licensing Department of this fact and the Licence by-law could be used to deny an application for a required personal, business licence on grounds that a breach of the law is then foreseeable or that granting the licence would not be in the public interest, etc., based on the applicant's own past record.

The only types of currently available City business licences that might cover sale of (used) guns are;
- Pawnbroker's licence (Schedule 30, By-law 79-323)
- Second Hand Goods Dealer's Licence (Schedule 17, By-law 79-323),

which licences or applications therefor are regularly and carefully monitored or investigated by the "Pawn" section of the Regional Police Department.

These licences would only, incidentally, cover handlers or sellers or purchasers of old or used guns, not new guns. It only applies to old guns because they are second-hand or pawned articles, not because they are guns.

The Municipal Act contains no authority for a municipality to regulate sales of new guns or firearms by a licensing by-law. (Please refer back to answer 1, above for reason.)

SUMMARY

Accordingly, any control of sale of new guns orfirearms may only be imposed by a municipality through a zoning, not by a licensing by-law. Such control relates only to business location. Please note, in Item 1 of page 1 of the May 29th, O.P.P. letter to Mr. D. Barrow, the words "if the business is to be lcoated at your residence..." (My emphasis.)

If the zoning is permissive of sales of new guns (in a store) at a particular, proposed location, the municipality cannot prohibit such a store thereat and such sales therein.

I think you would find that the local police will be very interested in sales of guns, anywhere, whether new or used, although I expect they would be even more zealous in monitoring sales of used guns, in case same had ever had some connection to a past crime.

It is hopes that this assists you.

Philip R. A. Hooker

PRAH:dc

Philip R.A. Hooker
for K.A. Rouff
City Solicitor

c.c. Mr. T. Cooke,
Ward 1

[redacted]

c.c. Mr. V. Abraham, Director
Local Planning

c.c. Mr. L. C. King,
Acting Building Commissioner

c.c. Chief Colin T. Millar
Hamilton-Wentworth Regional Police

OFFICE OF THE BUILDING COMMISSIONER

FAX # (416) 526-2673

REFER TO FILE

ATTENTION OF P.C. Lampman

526-2764

THE CORPORATION OF THE CITY OF HAMILTON

DEPARTMENT OF BUILDINGS

HAMILTON, ONTARIO

M E M O R A N D U M

May 29, 1989

TO: Dean Barrow,
City Clerk's Department

FROM: P.C. Lampman, P.Eng.

RE: 122 LOCKE STREET SOUTH

Further to your recent request to Peter C. Lampman of this Department respecting the above-noted property, please be advised that the subject lands are located in an "H" zoning district. The "H" commercial zoning allows a variety of uses included under Section 14(1)(xi) of Zoning By-law #6593, which states *"or retail store of any kind"*, which would permit sale of guns and ammunition.

The "H" zoning district under sentence 14(1)(xi) also permits a second-hand goods shop or pawnbrokers shop, both of which could sell used guns.

The "H" zoning district also permits under sentence 14(1)(xiv) a gunsmiths shop, which would sell guns or ammunition as long as it is accessory to the principal use of gunsmiths shop.

We trust this information will aid you in your inquiry respecting this matter.

L.C. KING, P.ENG.
Deputy Building Commissioner

PCL/dm

c.c. - Alderman Mary Kiss

(2)

Emergency fire service plan

25. For adopting and participating in an emergency fire service plan and program established by the fire co-ordinator of a regional, district or metropolitan municipality, or by a county or district fire co-ordinator, upon such terms and conditions as the council considers appropriate, provided that notwithstanding the provisions of any such plan and program, no liability accrues to a municipality for failing to supply the use of fire-fighting equipment in accordance with the plan and program.

Providing against accidents by fire

26. For securing against accident by fire the inmates and employees and others in factories, hotels, boarding houses, lodging houses, warehouses, theatres, music halls, opera houses and other buildings used as places of public resort or amusement.

Smoking in shops

27. For regulating smoking in retail shops in which ten or more persons are employed, or in any class or classes thereof, and for prohibiting smoking in such shops or any class or classes thereof, or in any part or parts thereof.

Prescribing times for setting fires and precautions

28. For prescribing for the whole or any part of the municipality the times during which fires may be set in the open air, and the precautions to be observed by persons setting out fires.

Discharge of fire-arms

29. For prohibiting or regulating the discharge of guns or other fire-arms, air-guns and spring-guns or any class or type thereof in the municipality or in any defined area or areas thereof.

Sale of fireworks

30. For regulating the sale of fireworks or any class or classes thereof and for prohibiting the sale of fireworks or any class or classes thereof on any day or days during the year or to any person under such age as the by-law may prescribe.

Setting off fireworks

31. For prohibiting or regulating the setting off of fireworks or any class or classes thereof in the municipality or in any defined area or areas thereof and for requiring a permit for the holding of fireworks displays and prescribing the conditions under which fireworks displays may be held under such permit.

Wooden buildings

32. For prohibiting the erection of wooden buildings or wooden additions, and of wooden fences, or the removal of any such building or fence from one place to another in the municipality.

Fire in stables, etc.

33. For prohibiting or regulating the use of fire or lights in factories, stables, cabinet makers' shops, carpenters'

3

(a) Mixing Mortar. No mortar, concrete or other such substance shall be mixed upon the highway, save upon a platform of wood, iron or other as suitable material and so located and guarded as to give adequate protection both to the highway and to children and the public;

(b) Keep Drains Clear. No material shall be allowed to obstruct the free passage of water in any drain, gutter or watercourse;

(c) Dust, Nuisance, etc. No unnecessary dust or noise shall be allowed, or any unnecessary or unreasonable annoyance to the public;

(d) Warning Lights. No building material or other obstruction shall be allowed on a highway without sufficient suitable warning lights and such other safeguards as may be necessary or desirable for the protection of children and the public;

(e) Clear and Restore Highway. All building material and other obstructions and all debris and residue shall be removed from the highway and the same restored to as good condition as before on or before the day of expiration of ther permit.

MISCELLANEOUS REGULATIONS

15. (1) Firearms. No person shall discharge any gun or other firearm, air-gun or spring-gun of any class or type, anywhere in the City of Hamilton.

Provided, however, that this prohibition shall not apply to the discharge of firearms,

(a) in properly constructed and supervised rifle ranges; or

(b) in shooting galleries licensed by the Board of Commissioners of Police; or

(c) by police officers or employees of the City Corporation carrying out their proper duties in the killing of stray pigeons, vicious dogs, or otherwise.

Corporation of the City of Hamilton

Memorandum

****

TO: Alderman M. Kiss
Alderman, Ward 1

YOUR FILE:

FROM: Mr. D. L. Peters
Assistant Chief Fire Prevention Officer

OUR FILE: 16493
PHONE: 522-1155 Ext. 35

SUBJECT: Proposed Gun Shop
122 Locke Street South

DATE: 1989 June 2

Further to our conversation of June 1, 1989 regarding the above noted subject, the following information is provided to you:

On June 1, 1989 at 0940 hours, the writer, accompanied by Inspector D. Christopher from this office, attended the subject premises and found that the second floor apartment was vacant, the first floor commercial area was vacant, and the basement apartment occupied by Ms. J. St. Martin.

Ms. St. Martin was in the process of finishing the packing of her personal belongings preparatory to vacating the apartment on June 2, 1989.

The proposed purchaser, Mr. A. Simmons, was not at the premises at this time.

At 1000 hours, the writer and Inspector D. Christopher attended at Mr. Simmons' present gun shop located at 1467 Main Street East. We met with Mr. Simmons and discussed the requirements of the Ontario Fire Code and the Explosives Act with respect to his proposed occupancy of 122 Locke Street South.

Mr. Simmons was informed by the writer that due to the larger area of the new facility and its configuration, he would most likely need more portable fire extinguishers then he had in his present location. We further discussed the Ontario Fire Code requirement for a fire safety plan with him and indicated that Inspector D. Christopher would meet with Mr. Simmons once he moved into his new location and at that time there may be additional requirements dependant upon the final configuration of his store.

The Ontario Fire Code in Article 5.2.1.1. states that, "The storage, handling and use of explosives, blasting agents, detonators, propellant explosives, pyrotechnics and ammunition shall be in conformance with the Explosives Act (Canada) and the Explosives Regulations made thereunder."

-Continued-

Mr. Simmons is allowed by the Explosives Act and the Explosives Regulations to offer for sale and store on the premises, 12 kilos of propellant powder, up to 10,000 primers and up to 225 kilos of ammunition before requiring a licence from the Explosives Branch of Energy, Mines, and Resources Canada. Mr. Simmons indicated to the writer that he has not exceeded this limit at his present location and has no intention of exceeding these limits at his new location.

The Explosives Act and Explosives Regulations require that the foregoing materials be stored out of reach or in a locked box. Mr. Simmons indicated that he will be storing these materials behind a counter in his new location in accordance with the regulations.

The Ontario Fire Code in Article 5.2.1.2.(1) states that, "Any person using, storing or handling explosives shall establish fire emergency procedures in conformance with Section 2.8 and that shall specify:

a) the location and identification of storage and use areas,

b) methods to control a fire emergency safely and efficiently, and

c) the names, addresses and telephone numbers of persons to be contacted in case of fire during nonoperating hours."

The foregoing was discussed with Mr. Simmons to ensure that he understood that these items had to be addressed in the fire safety plan required by Section 2.8 of the Ontario Fire Code.

We will continue to monitor the subject premises to ensure that all requirements within the jurisdictional scope of authority of this Department are complied with.

I personally checked with Mr. S. Dembe, Manager of the Licence Division, and was assured by him that no City of Hamilton licence is required for this proposed occupancy.

Mr. Simmons indicated to the writer that he will not only be operating the business at the subject address but will also reside on the premises as well and that he has already contracted for the installation of a security system for the premises.

The writer contacted the Explosives Branch of the Energy, Mines and Resources in Ottawa and spoke with Inspector John Hendrick who is responsible for the enforcement of the Explosives Act in this area and confirmed with him the allowable storage limits of propellant powder, primers and ammunition as set out above.

Further information regarding Mr. Simmons' compliance progress will be forwarded to you as it becomes available.

DLP:cl

cc: L.G. Saltmarsh

Re: 122 Locke Street South

Hamilton-Wentworth Regional Police

I was informed by Sgt. James Willis, Media Officer for the Hamilton-Wentworth Regional Police, that the official statement of the Chief of Police is one of complete neutrality and the location of a gun shop is one of philosophical nature.

All inspection of the Hamilton gun shops are performed by the Ontario Provincial Police.

FCM - No policy statement.

AMO - No policy statement.

DHB/hm

(b)

Ontario Provincial Police
Police provinciale de l'Ontario

Ministry of the Solicitor General
Ministère du Solliciteur général

90 Harbour Street
Toronto, Ontario
M7A 2S1

90, rue Harbour
Toronto (Ontario)
M7A 2S1

Telephone/Téléphone
/416
965-5525

File reference/
Référence

677 03

May 29, 1989

Mr. Dean Barrow
Licencing Department
City of Hamilton

Dear Mr. Barrow:

Re: Firearms and Ammunition Business Permit

I wish to acknowledge your enquiry about obtaining a firearms and ammunition business permit.

The Criminal Code of Canada requires that every person who carries on a business that includes the manufacturing, buying or selling at wholesale or retail, importing, repairing, altering or modifying or taking in pawn of restricted weapons or firearms; or carries on a business that includes the manufacturing, buying or selling at wholesale or retail or importing of ammunition must be the holder of a permit to carry on such businesses.

Each applicant for a firearms and/or ammunition business permit in Ontario must comply with the following requirements. Please note that some of the requirements apply to a firearms business only.

1. If the business is to be located at your residence, a letter from the Municipality stating the firearms business will not contravene any municipal by-laws or regulations and the Municipality has no objection to the business operating within their jurisdiction must be submitted to this office before your request for a permit can be considered.

2. A burglar alarm system is required if the business will be dealing in restricted weapons.

3. The applicant must provide adequate security for the storage and display of restricted and non-restricted weapons in accordance with the Regulations.

17

4. Every firearms business must keep an inventory of all transactions authorized by the permit. A ledger is furnished for this purpose.

5. Every firearms and ammunition business must conform to Ontario Sales Tax requirements.

6. A business permit is issued for one address only. It is a criminal offence to conduct a firearms or ammunition business at any location other than the address on the business permit.

7. Regular business hours must be kept. The business hours must be stated in writing and approved before the permit will be issued.

The premises from which a firearms business will be conducted must be inspected by one of our Business Inspectors to ensure all requirements are met. The inspection must be carried out before the application can be approved. An inspection normally takes four to six hours to complete.

When you are ready for an inspection of the proposed firearms business premises, notify this office in writing at the following address:

The Chief Provincial Firearms Officer
Ontario Provincial Police
Registration Branch
90 Harbour Street
Toronto, Ontario M7A 2S1

I have enclosed a copy of the Gun Control Guide for businessmen who deal in firearms and ammunition and the Regulations respecting the control of restricted weapons and firearms for your information.

I trust this information will assist you. Should you have further questions, please contact this office.

Yours truly,

R.G. Wiles,
Staff Sergeant,
Local Registrar of Firearms,
Chief Provincial Firearms Office.

/dh

Encl.

REGULATIONS RESPECTING THE CONTROL OF RESTRICTED WEAPONS AND FIREARMS

Short Title

1. These Regulations may be cited as the Restricted Weapons and Firearms Control Regulations.

Interpretation

2. In these Regulations,
"Act" means the Criminal Code;
"business" means a business described in subsection 103(1) or subparagraph 103(2)(b)(i) of the Act;
"premises" means the premises used in the course of carrying on a business.

3. Every person who is the holder of a permit to carry on a business shall ensure that, during the course of the business,

(a) every firearm, other than a restricted weapon, that is included in the inventory of the business and on display

(i) is secured by a chain or metal cable, which is passed through the trigger guard, one end of which is attached to a wall or permanent fixture on the premises and the other end of which is attached by a lock to such wall or permanent fixture, to prevent the removal of the firearm by a person other than the holder of the permit or a person employed by the holder of the permit,
(ii) is secured by a metal bar, one end of which is attached to a wall or permanent fixture on the premises and the other end of which is attached by a lock to such wall or permanent fixture, to prevent the removal of the firearm by a person other than the holder of the permit or a person employed by the holder of the permit,
(iii) is placed in a locked display case or cabinet,
(iv) is displayed at a location on the premises readily accessible only to the holder of the permit or a person employed by the holder of the permit, or

(v) is secured by a method that is equal or superior to the methods described in subparagraphs (i) to (iv) and approved in writing by the person authorized by subsection 106.2(5) of the Act to issue the permit;

(b) every restricted weapon that is included in the inventory of the business and on display

(i) is placed in a locked display case or cabinet, and
(ii) is not displayed in a store window;

(c) every restricted weapon or firearm that is included in the inventory of the business and is on the premises but not displayed is placed

(i) in a securely locked cabinet, vault or safe,
(ii) in a securely locked location,
(iii) at a location that is readily accessible only to the holder of the permit or to a person employed by the holder of the permit, or
(iv) in a location the security of which is
(A) equal or superior to the methods described in subparagraphs (i) to (iii), and
(B) approved in writing by the person authorized by subsection 106.2(5) of the Act to issue the permit;

(d) no person handles a loaded restricted weapon or firearm on the premises unless

(i) it is received for the purpose of altering, modifying or repairing the weapon or firearm, or
(ii) in accordance with the conditions set out in the permit; and

(e) no restricted weapon or firearm is handled on the premises except

(i) by him,
(ii) under his supervision,
(iii) by a person employed by him, or
(iv) under the supervision of a person employed by him.

Security of Premises

4. Where the inventory of a business includes restricted weapons that are on the premises, the person who is the holder of the permit to carry on the business shall cause to be installed on the premises a burglar alarm system.

5. Every person who is the holder of a permit to carry on a business shall ensure that every window of the premises that may be opened and every exterior door of the premises is capable of being securely locked.

Advertising

6. No person who is the holder of a permit to carry on a business shall, in an advertisement of any restricted weapon or firearm, depict or extol violence against another person.

Inspection of Secure Storage Facilities

7. Police officers, police constables and firearms officers designated for the purposes of a province by the Attorney General of the province may enter any premises in that province, at any time during ordinary business hours, for the purpose of inspecting the secure storage facilities therein and the manner in which restricted weapons, firearms and ammunition are handled and displayed in the course of the business.

Museums

8. Every person who is the operator of a museum approved by the Commissioner or the Attorney General of the province in which the museum is situated shall ensure that

(a) every restricted weapon or firearm included in the inventory of the museum is unloaded;

(b) every restricted weapon or firearm that is on display in the museum is displayed in a manner and at a location that will prevent its removal by a person other than the operator of or a person employed in the museum.

(c) every restricted weapon or firearm included in the inventory of the museum that is not on display in the museum is placed

(i) in a securely locked cabinet, vault or safe,
(ii) in a securely locked location, or
(iii) at a location readily accessible only to the operator of or a person employed in the museum.

9. Where the inventory of a museum includes restricted weapons or weapons capable of firing bullets in rapid succession during one pressure of the trigger, the operator of the museum shall cause to be installed in the museum a burglar alarm system.

10. Where the inventory of a museum includes restricted weapons or firearms, the operator of the museum shall ensure that every window of the museum that may be opened and every exterior door of the museum is capable of being securely locked.

Mail Order Sales

11. (1) Every person who is the holder of a permit to carry on a business may, by mail order, mail, ship or deliver to any person

(a) a firearm that is a rifle or shot gun if the holder of the permit has in his possession a current firearms acquisition certificate issued to that person; or

(b) a restricted weapon if the holder of the permit has in his possession

(i) a permit issued to that person pursuant to subsection 106.2(4) of the Act, and
(ii) a valid firearms acquisition certificate issued to that person.

(2) Subject to subsection (3), where a restricted weapon or firearm is mailed, shipped or delivered, pursuant to subsection (1), in a container to a consignee in Canada, the markings, if any, on the exterior of the container shall not indicate that a restricted weapon or firearm is contained therein.

(3) Subsection (2) does not apply where the only markings on the exterior of the container indicating that a restricted weapon or firearm is contained therein is the consignee's address.

Transportation of Firearms

12. (1) Any person engaged in a commercial enterprise that includes the transportation of goods may handle and transport any restricted weapon or firearm if

(a) subject to subsection (2), the restricted weapon or firearm is in a container of cardboard, wood or other solid material of such strength, construction and character that it cannot be readily broken or accidentally opened while being conveyed;

(b) subject to subsections (2) and (3), the markings, if any, on the exterior of the container referred to in paragraph (a) do not indicate that a restricted weapon or firearm is contained therein;

(c) the restricted weapon or firearm is unloaded; and

(d) except in the case of a carrier that is an aircraft, that part of the carrier conveying the restricted weapon or firearm is securely locked or sealed when left unattended.

(2) Paragraphs (1)(a) and (b) do not apply where the restricted weapon or firearm is carried and kept on board the carrier by the person who owns or has the use of the restricted weapon or firearm.

(3) Paragraph (1)(b) does not apply where

(a) the only markings on the exterior of the container indicating that a restricted weapon or firearm is contained therein is the consignee's address;

(b) the container and its contents are to be delivered to a consignee in a country other than Canada; or

(c) the container and its contents have been imported into Canada.

Destruction of Records and Inventories

13. The records and inventories that are required to be maintained pursuant to section 103 of the Act may be destroyed after they have been kept for a period of five years.

Storage, Display and Transportation of Gun Collections

14. (1) Restricted weapons that form part of a gun collection of a bona fide gun collector

(a) shall be stored, unloaded,

(i) in a securely locked display case, cabinet, safe, vault or other secure receptacle, or
(ii) in a securely locked location; and

(b) shall, during any display, be unloaded and where the display is a public display, be under supervision.

(2) A restricted weapon referred to in subsection (1) that is being transported shall be unloaded and where transported

(a) in a motor vehicle equipped with a trunk that may be securely locked, the weapon shall, during any period the vehicle is unattended, be kept in the trunk and the trunk shall be locked; or

(b) in a motor vehicle not equipped with a trunk, the weapon shall, during any period the vehicle is unattended, be kept at a place in the vehicle where it is not readily visible to the general public and the vehicle shall be locked.

Relics

15. For the purposes of Part II.1 of the Act, the following classes of firearms are deemed to be relics:

(a) any firearm that is of value as a curiosity or rarity; and

(b) any firearm that is valued as a memento, remembrance or souvenir.

Permit Fees

16. (1) Subject to subsections (2) to (6), the annual fee to be paid on filing an application for a permit to carry on a business set out in column I of an item of the schedule shall be the fee set out in column II of that item.

(2) Subject to subsection (3), where a person applies for a permit to carry on more than one business set out in column I of an item of the schedule at a location, the annual fee payable by that person for a permit in respect of all the businesses for which he has filed an application referred to in subsection (1) at that location shall be a single fee and that fee shall be the fee payable by him, pursuant to subsection (1), in respect of that business set out in column I of an item of the schedule for which he has filed an application whose fee set out in column II of that item is the greatest.

(3) Subject to subsections (4) to (6), where a permit to carry on a business set out in column I of an item of the schedule has been issued to a person for a period of less than twelve months, the fee payable for that permit for the period shall be that proportion of the amount of the annual fee set out in column II of that item of the schedule that the number of months for which the permit is issued is of twelve months.

(4) Subject to subsections (5) and (6), for the purpose of item 4 of the schedule, the number of restricted weapons or firearms sold by a retailer are deemed to be the number sold by the retailer during the twelve month period immediately prior to the date of any application for a permit authorizing him to carry on or to continue to carry on a business of selling restricted weapons or firearms at retail.

(5) Where a person has not carried on a business of selling restricted weapons or firearms at retail immediately prior to applying for a permit referred to in subsection (4), the first annual fee payable by that person for a permit to carry on such a business shall be twenty-five dollars.

(6) Where a person has carried on a business of selling restricted weapons or firearms at retail for a period of less than twelve months, the first annual fee payable for a permit to continue to carry on the business shall be determined in accordance with item 4 of the schedule based on the number of restricted weapons or firearms sold at retail during that period or twenty-five dollars, whichever is the greater.

Prescribed Classes

17. The following classes of peace officers and public officers are hereby prescribed for the purposes of paragraphs 90(1)(b) and 96(1)(b) of the Act:

(a) wardens, deputy wardens, instructors, keepers, gaolers, guards and any other officers or permanent employees of a prison;

(b) police officers, police constables, constables and sheriffs; and

(c) employees of federal and provincial departments engaged in the enforcement of federal and provincial game and fisheries laws.

Coming into Force

18. Sections 3 to 6, 11 to 13 and 16 shall come into force on January 1, 1979.

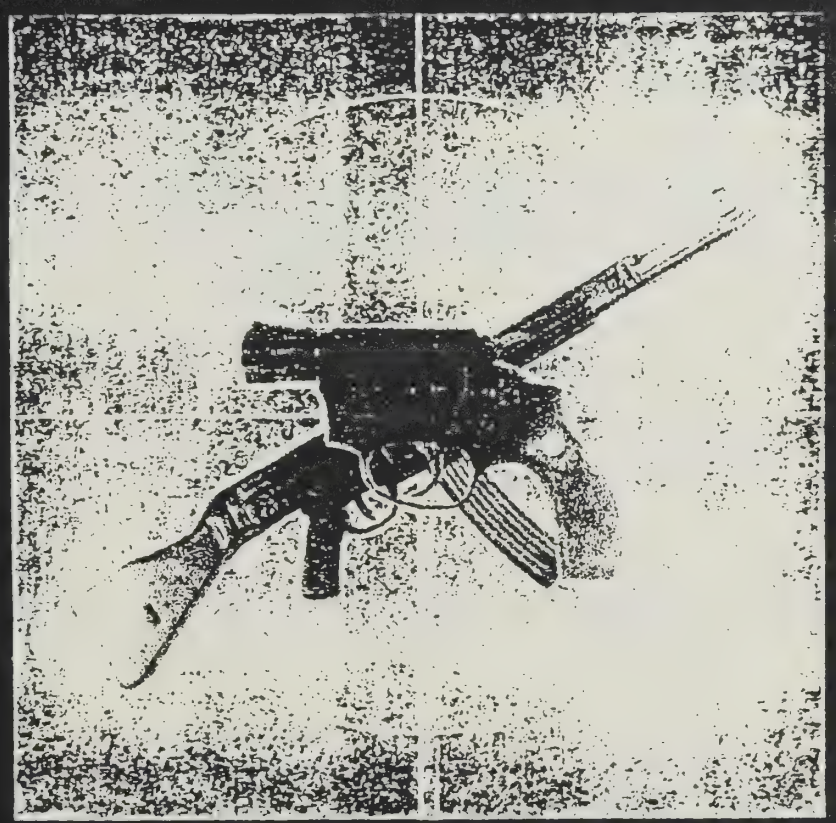
SCHEDULE

FEES FOR A PERMIT TO CARRY ON A BUSINESS

Item	Column I Business	Column II Fee
	Ammunition	
1.	Manufacturer of ammunition.	$250
2.	Selling ammunition at wholesale.	225
3.	Selling ammunition at retail.	10
	Restricted Weapons or Firearms	
4.	Selling restricted weapons or firearms at retail	
	(a) for the sale of 15 or less restricted weapons or firearms;	25
	(b) for the sale of more than 15 but less than 51 restricted weapons or firearms;	75
	(c) for the sale of more than 50 but less than 101 restricted weapons or firearms;	125
	(d) for the sale of more than 100 restricted weapons or firearms.	175
5.	Selling restricted weapons or firearms at wholesale.	225
6.	Manufacturing restricted weapons or firearms.	250
7.	Repairing, altering or modifying restricted weapons or firearms.	25
8.	Taking in pawn of restricted weapons or firearms.	50

GUN CONTROL

A guide for businessmen who deal in firearms and ammunition



Working together to save lives

Solicitor General Canada
Solliciteur général Canada

9

For further information on GUN CONTROL IN CANADA, contact:

LOCAL POLICE, or;
CHIEF PROVINCIAL FIREARMS OFFICER

GUN CONTROL IN CANADA,
340 Laurier Avenue West,
Ottawa, Ontario K1A 0P8
Canada

Published under the authority of the
HON. JEAN JACQUES BLAIS
Solicitor General of Canada

Cat.: No. JS22-46/1978
ISBN 0-662-01948-2

Lithod in Canada
50K

Ottawa, Ontario

To all businessmen who manufacture and deal in firearms and ammunition:

This brochure has been developed to explain the recent changes to Canada's gun control law to businessmen who deal in firearms and ammunition. These changes are found in the Criminal Law Amendment Act (1977).

The new laws seek to encourage the safer storage and handling of guns, and to control the access to weapons by those persons who would use them in a criminal or other irresponsible manner.

New regulations specify standards and requirements for the sale, advertising, importation, storage, handling, and transportation of firearms and ammunition.

The majority of changes which came into effect January 1, 1978, relate primarily to increased penalties for the criminal use of firearms and provide an extensive revision to the lists of weapons classed as "prohibited" and "restricted".

Effective January 1, 1979, all dealers in firearms and ammunition will be required to obtain a permit for each location or outlet.

You will be required to maintain records of transactions involving all firearms. *Until that date, however, dealers in restricted weapons must continue to maintain records consistent with established procedures.*

The Firearms Acquisition Certificate system will also come into effect on January 1, 1979, prohibiting the sale, transfer, gift, delivery or exchange of weapons to any person not in possession of a valid certificate.

In the following pages we will deal with what the new law requires of you, and provide some details about the administration of the system as well as descriptions of weapons, permits and certificates and the rights of appeal.

TABLE OF CONTENTS

	PAGE
BUSINESS REGULATIONS	1
GENERAL	1
BUSINESS PERMIT APPLICATIONS	1
INSPECTION REPORTS	1, 2
ANNUAL INSPECTIONS	2
APPLICANT SUITABILITY	2
SECURITY AND STORAGE REQUIREMENTS	3
RECORDS MAINTENANCE	3
PERMIT FEES	4
WAREHOUSES	4
MAIL ORDER BUSINESSES	4
THEFT, LOSS OR DESTRUCTION OF FIREARMS OR AMMUNITION	4
REFUSAL OF APPLICATION	4
REVOCATION OF PERMITS	5
RESTRICTED FIREARMS ACQUIRED FOR SALE	5
GUN CONTROL ADMINISTRATION	6
COMMISSIONER OF THE RCMP	6
CHIEF PROVINCIAL FIREARMS OFFICER	6
FIREARMS OFFICER	6
LOCAL REGISTRAR OF FIREARMS	6
PROHIBITED WEAPONS	7
RESTRICTED WEAPONS	7
LIST OF RESTRICTED WEAPONS	8
ANTIQUE FIREARMS	9
WEAPONS NOT CONSIDERED FIREARMS	9
PERMITS AND CERTIFICATES	9
RESTRICTED WEAPONS PERMITS	9
PERMIT TO CONVEY	9
PERMIT TO TRANSPORT	9
PERMIT TO CARRY	10
FIREARMS ACQUISITION CERTIFICATES	10
RESTRICTED WEAPON REGISTRATION CERTIFICATE	11
RIGHT OF APPEAL	12
TIME LIMITS	12
PROCEDURE	12
OFFENCES AND PENALTIES	13
OFFENCES AND PENALTIES EFFECTIVE JANUARY 1, 1978	13
OFFENCES AND PENALTIES EFFECTIVE JANUARY 1, 1979	14

BUSINESS REGULATIONS

GENERAL

On January 1, 1979, a new business permit system will come into effect. This system requires that all persons engaged in a business that:

1) includes the manufacture, purchase or sale (wholesale or retail), importation, repair, alteration, modification or taking in pawn of restricted weapons or firearms: or

2) involves the manufacture, purchase or sale (wholesale or retail), or importation of ammunition,

will require a business permit (Form C-304) for each location at which business is carried on.

BUSINESS PERMIT APPLICATIONS

Business Permit Applications/Inspection Reports (Form 1403) are available from Business Inspectors. Processing of completed applications will require two to three months, including inspection of the premises.

INSPECTION REPORTS

All businessmen will be subject to prior inspection of their premises, during normal business hours to determine whether the requirements for secure storage, handling and display have been complied with. Inspections will be performed by the police responsible for administering the firearms business system in the area in which the business is located. Normally an applicant engaged only in the retail sale of ammunition will forward the application without inspection of the premises, however, if deemed necessary, the Chief Provincial Firearms Officer or other designated authority may require that an inspection be made.

The officer carrying out the inspection will:

a) check and confirm existing security;

b) check and confirm records maintenance;

c) offer advice or assistance where improvements or corrections are considered necessary;

d) determine the number of firearms sold in the last complete business year; and,

e) if necessary, check data concerning the person or persons engaged in the business.

Upon completion of the inspection, the original of the approved Business Permit Application/Inspection Report will be provided to the applicant. The report will indicate the applicable fee, and the address of the Chief Provincial Firearms Officer or designated authority to whom the application and fee must be forwarded. Where a permit has not been received by the applicant prior to the date required, the Chief Provincial Firearms Officer or designated issuing authority should be contacted immediately.

In addition to the Firearms and Ammunition Business Permit (Form C-304), the Chief Provincial Firearms Officer will issue a business ledger to those dealing in firearms, for recording of transactions.

Where security modifications or other corrective measures are considered necessary by the officer completing the inspection, subsequent inspections will be made prior to a recommendation for issuance of a permit.

ANNUAL INSPECTIONS

Annual inspections of all firearms business premises will be made prior to expiration of business permits. An application form will be provided by the inspecting officer for immediate completion by the firearms/ammunition business.

APPLICANT SUITABILITY

Police will consider the following information in determining an applicant's suitability for a business permit:

a) record of criminal convictions;

b) history of any mental disorder associated with violence;

c) history of behaviour which includes violence, or threatened or attempted violence.

These criteria will apply to the owners, proprietors or partners of the business named in the application. Officers may also require the names and identifying information concerning clerical or other staff members with responsibilities involving direct firearms sales to the public.

SECURITY AND STORAGE REQUIREMENTS

Regulations with respect to security and storage are sufficiently broad to permit flexibility in the various circumstances which business and police encounter.

RECORDS MAINTENANCE

Effective January 1, 1979, all dealers in firearms are required to maintain records of transactions involving firearms on a Firearms Business Records (Form 1404). Non-restricted Weapons dealers will not be required to maintain records until that date. However, Restricted Weapons dealers currently in possession of valid business permits are required to continue to maintain records consistent with established procedures through December 31, 1978, at which time the new records system regulations will apply.

Upon inspection, a business must provide documentation which will indicate:

a) the number and full description of weapons manufactured or acquired;

b) the source of such weapons;

c) a current inventory of weapons;

d) a record of persons to whom each described weapon was sold.

NOTE: Where transactions involve sales to the public, the records must show the purchaser's name, address, signature and Firearms Acquisition Certificate number. To avoid the possible acceptance of fraudulent Firearms Acquisition Certificates, an examination of the identification credentials recorded on the Firearms Acquisition Certificate should be undertaken by the firearms business. In all cases of doubt, the local police agency should be contacted.

Subject to approval by the Chief Provincial Firearms Officer, alternative records systems may be deemed acceptable. This will normally be limited to firms dealing in a large volume of transactions.

Records must be kept for a period of five years, after which time they may be destroyed. Businesses engaged only in the retail sales of ammunition are not required to maintain sales, acquisition or inventory records.

PERMIT FEES

The business permit fee schedule is based on the type of firearms business, and the number of firearms sold during the previous business year. Where a business is engaged in more than one type of firearms/ammunition transactions, the higher applicable permit fee, and not a combination of fees, will apply.

WAREHOUSES

Warehouses are considered extensions of either the firearms or ammunition business to whom the permit is issued, and do not require separate business permits. Warehouses are, however, subject to inspections.

MAIL ORDER BUSINESSES

Effective January 1, 1979, no firearm is to be mailed unless the purchase order for the weapon is accompanied by the purchaser's Firearms Acquisition Certificate. *Photostats or other facsimiles of the Firearms Acquisition Certificate are not acceptable.* Unless the firearm is destined outside Canada, the contents must not be indicated on the exterior of the container in any manner.

In the case of a Restricted Weapon, a Permit to Convey, (Form C-300) and the Firearms Acquisition Certificate must accompany the purchase order. Both the Firearms Acquisition Certificate and the permit will be returned to the purchaser with the firearm.

THEFT, LOSS OR DESTRUCTION OF FIREARMS OR AMMUNITION

Any business (including a transportation or shipping business) experiencing any theft, loss or destruction of ammunition or firearms, must immediately report the matter to a local registrar of firearms or police.

REFUSAL OF APPLICATION

A recommendation for refusal to issue a permit will be made to the Chief Provincial Firearms Officer by the inspector where a business fails to meet records-keeping or security standards. The inspector will forward supportive documentation to the Chief Provincial Firearms Officer to enable consideration of the validity of the required Refusal Notice.

REVOCATION OF PERMITS

Where revocation of a Business Permit is recommended, a report will be submitted to the Chief Provincial Firearms Officer, outlining the reasons for the recommendation for revocation. Upon approval of the recommendation, a Notice of Revocation will be issued to the business firm, with copies to the police, and the RCMP Firearms Registration and Administration Section, Ottawa.

The Notice of Revocation will specify a time limit within which the business must dispose of all firearms and ammunition. The police will ensure the lawful disposition of the firearms and ammunition within the period specified on the revocation notice.

RESTRICTED FIREARMS ACQUIRED FOR SALE

With the exception of new weapons acquired from a manufacturer or wholesaler, every business acquiring restricted firearms must report the receipt of such weapons (Form C-305) within 48 hours of their receipt. Reports are required for any weapons acquired on consignment.

When acquiring previously-registered firearms, businesses must obtain and attach to Form C-305, the former owner's registration certificate, except where the firearm is received on consignment.

Where a firearm received on consignment is returned to the registered owner, the business must advise the RCMP Firearms Registration Section by submitting a completed Form C-305 with a notation that the weapon was returned to the owner.

Transactions involving the sale of Restricted Weapons to non-residents of Canada, even though for export, must also be reported. This includes over-the-counter and mail order transactions.

Firearms of "Air", "Spring" and "Gas" pistol categories are not required to be reported unless their muzzle velocity exceeds 500 feet per second. The muzzle velocities of such weapons are normally indicated in the manufacturer's literature.

Completed Form C-305's are to be forwarded to:

RCMP,
Firearms Registration and
Administration Section,
P.O. Box 8885,
Ottawa, Ontario K1G 3M8

GUN CONTROL ADMINISTRATION

The following pages provide information on the administration of the gun control system, prohibited weapons, restricted weapons, antique firearms, permits and certificates, right of appeal and offences and penalties.

1. COMMISSIONER OF THE RCMP

The Commissioner of the Royal Canadian Mounted Police is responsible for coordination at the federal level of the new Firearms Acquisition Certificate system, Business Permit system, and the registration of restricted weapons. The Commissioner is required to report annually to the Solicitor General of Canada.

2. CHIEF PROVINCIAL FIREARMS OFFICER

The Chief Provincial Firearms Officer is responsible to the Provincial Attorney General. His function is to oversee and coordinate the Firearms Acquisition Certificate system and the administration of permits, including Business Permits, at the provincial or territorial level. The Chief Provincial Firearms Officers *will be represented on* the National Firearms Advisory Council, and *will be involved in* the provincial firearms safety education, competency training and safety testing programs.

3. FIREARMS OFFICER

A Firearms Officer, usually a local police officer, issues Firearms Acquisition Certificates and Minors' Permits. Firearms Officers will normally carry out the inspections of business premises. The duties of firearms officers may vary from province to province. Specific information on their duties, and the manner of inspecting firearms businesses may be obtained from the Chief Provincial Firearms Officer.

4. LOCAL REGISTRAR OF FIREARMS

The Local Registrar of Firearms, usually a police officer, will process applications for the registration of restricted weapons. Restricted weapon registration certificates are issued by the Commissioner of the RCMP.

PROHIBITED WEAPONS

Prohibited weapons are defined as firearms having no legitimate sporting or recreational use and which are therefore considered to be dangerous to personal safety. Private individuals, other than bona fide collectors, are not allowed to have in their possession any prohibited weapon.

As of January 1, 1978, prohibited weapons include:

a) any device or contrivance designed or intended to muffle or stop the sound or report of a firearm;

b) any knife that has a blade that opens automatically by gravity or centrifugal force or by hand pressure applied to a button, spring or other device in or attached to the handle of the knife;

c) any firearm, not being a restricted weapon described in paragraph (c) of the definition of restricted weapons, that is capable of firing bullets in rapid succession during one pressure of the trigger;

d) any firearm adapted from a rifle or shotgun, whether by sawing, cutting or other alteration or modification, that, as so adapted, has a barrel that is less than eighteen inches in length or that is less than twenty-six inches in overall length; or

e) a weapon of any kind, not being an antique firearm or a firearm of a kind commonly used in Canada for hunting or sporting purposes that is declared by order of the Governor in Council to be a prohibited weapon.

RESTRICTED WEAPONS

Effective January 1, 1978, Restricted Weapons are defined as:

a) any firearm, not being a prohibited weapon, designed, altered or intended to be aimed and fired by the action of one hand;

b) any firearm that:

   1) is not a prohibited weapon, has a barrel that is less than eighteen and one half inches in length and is capable of discharging centre-fire ammunition in a semi-automatic manner, or

   2) is designed or adapted to be fired when reduced to a length of less than twenty-six inches by folding, telescoping, or otherwise, or

c) any firearm that is designed, altered or intended to fire bullets in rapid succession during one pressure of the trigger and that, on January 1, 1978 was registered as a restricted weapon, and formed part of a gun collection in Canada of a bona fide gun collector, or

d) a weapon of any kind, not being a prohibited weapon or a shotgun or rifle of a kind that, in the opinion of the Governor in Council, is reasonable for use in Canada for hunting or sporting purposes, that is declared by order of the Governor in Council to be a restricted weapon.

LIST OF RESTRICTED WEAPONS

The following list of firearms are now included in the restricted category. This is *not* an exhaustive list, and in case of doubt, local police or firearms registrars should be contacted for guidance.

1. Armolite Model AR-180
   .223 calibre
   18¼" barrel
2. National Ordinance Model
   M-1 Carbine
   .30 calibre
   18" barrel
3. P.J.K. Model 68 Carbine
   .223 calibre
   16 3/16" barrel
4. Plainfield Model Carbine
   .223 calibre or .30 calibre
   18" barrel
5. Universal Model 1003
   .30 calibre
   18" barrel
6. Universal Model 1002
   .30 calibre
   18" barrel
7. Valmet Model 62/S
   7.62 calibre
   16 5/8" barrel
8. Valmet Model 72/S
   .223 calibre
   16 5/8" barrel
9. Eagle Model Apache Carbine
   .45 calibre
   16½" barrel
10. J&R Model 67
    9mm calibre
    16¼" barrel
11. Universal Model 1000
    .30 calibre
    18" barrel
12. Universal Model 1020
    .30 calibre
    18" barrel
13. Universal Model Enforcer
    .30 calibre
    10¼" barrel
14. Cetme Model Sport
    .308 calibre
    17¾" barrel
15. Universal Model 1005
    .30 calibre
    18" barrel
16. Barretta Model BM-69
    7.62 calibre
    17" barrel
17. U.S. Carbine Model M-1
    .30 calibre
    18" barrel
18. U.S. Carbine Model M1 A-1
    .30 calibre
    18" barrel
19. Heckler & Koch Model HK-93
    .223 calibre
    16¼" barrel
20. National Ordinance Model
    M-1 Tank
    30-06 calibre
    17½" barrel
21. Plainfield Model Carbine
    .30 calibre
    18" barrel

ANTIQUE FIREARMS

'Antique firearm' is defined as any firearm manufactured before 1898 that was not designed to use rimfire or centre-fire ammunition and that has not been redesigned to use such ammunition or, if so designed or redesigned, is capable only of using rimfire or centre-fire ammunition that is no longer commercially manufactured. Unless the purchaser intends to fire such a weapon, it is not subject to registration, nor is a Firearms Acquisition Certificate required to purchase it.

WEAPONS NOT CONSIDERED FIREARMS

The following devices are not considered firearms for the purposes of registration or the requirements for a Firearms Acqusition Certificate.

1) Devices which are designed exclusively for signalling purposes, or notifying of distress.
2) Devices firing stud cartridges, explosive driven rivets, or similar industrial ammunition.
3) Firearms designed for firing only blank cartridges.
4) Any shooting device designed and intended by the possessor for the slaughtering or tranquilizing of animals or discharging projectiles with lines attached thereto.
5) Any shooting device not intended to discharge a projectile at a muzzle velocity exceeding 500 ft. per second. (e.g. B-B guns, Pellet guns, air rifles, dart guns). Muzzle velocities are normally included in manufacturer's specifications.

PERMITS AND CERTIFICATES

RESTRICTED WEAPONS PERMITS

PERMIT TO CONVEY

A permit to convey a restricted weapon, issued by a local registrar, authorizes an applicant for a Restricted Weapon Registration Certificate to convey the weapon from the point of acquisition or purchase to the local registrar of firearms for examination in order to complete the registration process.

PERMIT TO TRANSPORT

A permit to transport is intended primarily for the conveyance of restricted weapons from one place to another. It is not usually intended as an authorization to discharge the weapon. For example, it is required by the owner of a restricted weapon when he changes residence, by collectors going to an exhibition, or other persons having reasons to transport restricted weapons.

PERMIT TO CARRY

A permit to carry a restricted weapon is primarily intended as an authorization for use, and is only issued in exceptional cases. One of the following criteria must be met:

a) to protect life

b) for use in connection with a lawful profession or occupation

c) for use in target practice under the auspices of a shooting club approved by the provincial government

d) for use in target practice in accordance with the conditions attached to the permit.

Permits continue to be issued free of charge and will be valid until the expiration of the period for which they are issued, unless sooner revoked.

FIREARMS ACQUISITION CERTIFICATES

Effective January 1, 1979, all persons over sixteen years of age wishing to acquire firearms, must obtain a Firearms Acquisition Certificate. This will allow the holder to acquire any number of firearms for his private use. The word 'acquire' means to take possession of firearms by purchase, exchange, or by any other means.

Those persons currently in possession of hunting and sporting rifles will not be required to obtain Firearms Acquisition Certificates for those weapons, but only for new acquisitions. Certificates are an authorization to acquire a firearm, and are not intended to be a license to own, carry or possess weapons.

Certificates are issued at a cost of $10.00, and are valid anywhere in Canada for a period of five years. Certificates are issued free of charge where the firearm is required to sustain life or for livelihood. Separate certificates are not required for additional firearms acquired during the validity of the certificate.

No firearms are to be sold, bartered or exchanged by any business engaged in such transactions unless a valid Firearms Acquisition Certificate is produced by a customer. In addition to the Firearms Acquisition Certificate, the customer must also produce a Permit to Convey where the firearm is classed as a Restricted Weapon.

RESTRICTED WEAPON REGISTRATION CERTIFICATE

A Restricted Weapon Registration Certificate must be obtained for each such firearm, and must also be obtained by those persons wishing to purchase or otherwise acquire such a firearm. Restricted Weapon Registration Certificates will be issued only where:

a) the applicant is more than eighteen years of age and is the holder of a valid Firearms Acquisition Certificate (when this system comes into effect January 1, 1979).

b) the weapon can be accurately described to distinguish it from other restricted weapons. This is normally considered to be by serial number.

c) the firearm will be used for one of the following reasons:

   i) to protect life

   ii) for use in connection with a lawful profession or occupation

   iii) for use in target practice under the auspices of a shooting club approved by the Attorney General of the province in which the shooting club is located, or;

   iv) for use in target practice in accordance with conditions to be attached to the permit

   v) to form part of the gun collection of the applicant who is a bona fide gun collector, or

   vi) is deemed to be a relic or an antique manufactured prior to 1898 and not capable of firing commercially available ammunition.

Restricted Weapon Registration Certificates will continue to be issued free of charge, and will be valid indefinitely, unless revoked.

RIGHT OF APPEAL

A decision by a Firearms Officer to refuse an application for any permit or certificate, (except the refusal to issue a permit to carry a restricted weapon) or revoke any permit may be appealed. Where a permit or certificate is revoked, or an application for a permit or certificate is refused, the applicant or holder of the permit or certificate will be notified of the decision in writing, stating the reasons for refusal or revocation.

TIME LIMITS

A refusal or revocation must be appealed within 30 days from the day on which the refusal or revocation notice was received.

PROCEDURE

The applicant may appeal a decision to revoke or refuse a permit or certificate by filing with a magistrate a notice of appeal, setting out with reasonable certainty the action, decision or failure complained of, and the grounds of appeal, together with such further information as the magistrate may require.

The magistrate will set a date for a hearing, and the applicant may argue his case against the refusal or revocation decision.

If the magistrate should confirm the refusal or revocation decision, the applicant may then appeal the magistrate's decision to an appeal court.

OFFENCES AND PENALTIES

Following are those significant offences and penalties related to the acquisition, sale, secure storage, display, advertising, transport and delivery of firearms included in the new Gun Control laws. These are in addition to previously existing offences and penalties.

OFFENCES AND PENALTIES EFFECTIVE JANUARY 1, 1978.

a) Use, carriage, transport, shipping, handling or storing of either firearms or ammunition in a careless manner or without reasonable precautions for the safety of others without lawful excuse. (Fine or imprisonment for up to five years)

b) Possession of a restricted weapon elsewhere than at the location authorized. (Fine or imprisonment up to 5 years)

c) Giving, lending, transferring or delivering any firearm to a person under the age of 16 years who is not the holder of a permit under which he may lawfully possess the firearm, unless such use is under the immediate supervision of a person lawfully in possession of a firearm. (Fine or imprisonment up to two years)

d) Selling, giving, lending, transferring or delivering any firearm or other offensive weapon or ammunition or explosive substance to a person known or believed to be of unsound mind, impaired by alcohol or drugs, or prohibited by law from possessing same. (Fine or imprisonment up to five years)

e) Importing, buying, selling, giving, lending, transferring, bartering or delivering prohibited weapons or parts used in their manufacture or assembly. (Fine or imprisonment up to five years)

f) Selling, giving, lending, transferring or delivering any restricted weapon to a person who is not the holder of a permit authorizing him to possess that weapon. (Fine or imprisonment up to five years). This does not apply to a person who uses such a weapon under the immediate supervision of the owner.

g) Importing any restricted weapon when a person is not the holder of a permit. (Fine or imprisonment up to five years)

h) Failure to report to police a lost or mislaid restricted weapon with reasonable dispatch. (Fine or imprisonment up to five years)

i) Failure to report the finding of a firearm with reasonable dispatch. (Fine or imprisonment up to five years)

j) Possession of any firearm, without lawful excuse, knowing that the serial number has been altered, defaced or removed, or to alter, deface or remove a serial number on any firearm (Fine or imprisonment up to five years)

OFFENCES AND PENALTIES EFFECTIVE JANUARY 1, 1979

a) Selling, giving, transferring or delivering any firearm to a person who does not, at the time of such selling, transferring, giving or delivering, or in the case of a mail-order sale within a reasonable time, produce a Firearms Acquisition Certificate for inspection. (Fine or imprisonment up to two years). This does not apply to a person who:

   — lends a firearm for use by another person under his supervision;

   — lends a firearm for use by a person who requires the firearm to hunt or trap in order to sustain himself or his family;

   — lends a firearm to a person who is the holder of a permit;

   — returns a firearm to the lender.

b) Importing or acquiring in any manner a firearm while he is not the holder of a Firearms Acquisition Certificate. (Fine or imprisonment up to two years). This does not apply to a person who:

   — re-acquires a firearm from the borrower;

   — imports a firearm at a time when he is not a resident of Canada;

   — comes into possession of a firearm in the ordinary course of business.

LICENSED PREMISES FOR THE SALE OF FIREARMS

1. Canadian Tire Associates Stores (5 locations)

2. Adam's Warehouse (Burlington) Limited
   193 Cavell Avenue

3. McVey's Sales
   583 Barton Street

4. Netherwood Bullet
   428 King Street West

5. Rod & Gun Shop
   96 Kenilworth Street North

6. Al Simmons Gun Shop
   1467 Main Street East

7. Spencer Arms & Security Systems Inc
   1333 Rymal Road East

8. G. W. Thompson Pawnbroker & Jewellers
   191 King Street East

9. R. Travis Inc. (H. Williams & Company)
   138 James Street North

10. Vantasy Van Supplies
    601 King StreetEast

11. Davies Coins & Collectables
    1279 Main Street East

NATIONAL NON-SMOKING WEEK

9:45

RECEIVED
JUN 6 19
CITY CLERK

School of Physical Educa
McMaster University
1280 Main Street West
Hamilton, Ontario, L8S 4K1
June 5, 1989

Mr. John Thompson
Clerk of Legislation Committee
Hamilton City Hall
71 Main St. West
Hamilton, Ontario

Re: Meeting of Legislation Committee - June 19, 1989

Dear Mr. Thompson:

I am writing, on behalf of the Hamilton-Wentworth Interagency Council on Smoking and Health, to confirm the fact that members of our Council will be meeting with the Legislation Committee on June 19, 1989 at 9:30 A.M. It is my understanding that the purpose of this meeting is to discuss the licensing of tobacco products.

At this time, I am also writing to indicate that I am the new Chairman of the Hamilton-Wentworth Interagency Council on Smoking and Health, succeeding Mrs. Anne Washington, who will remain on the Council as Past Chairman. For the purposes of the June 19th meeting, however, I will be unavailable and any questions or correspondence should be addressed to Mrs. Anne Washington with regard to that meeting.

Unless I hear from you to the contrary, I will assume that the June 19th meeting will proceed as scheduled. Thank-you.

Yours sincerely,

Barbara A. Gowitzke

cc: Mrs. Mary Kiss

Barbara A. Gowitzke, Ph.D.
Associate Professor
Chairman, Hamilton-Wentworth Interagency Council on Smoking and Health

Hamilton-Wentworth
Non-Smokers' Rights
Association

P.O. Box 33
Stoney Creek
Ontario

NEWSLETTER

MAY 1989 EDITOR : BRIAN REID

SALE OF TOBACCO TO MINORS

The issue of the sale of tobacco to children has become an issue for examination by politicians, the health community and non-smokers' rights activists.

To head off public criticism, the tobacco industry has initiated a feeble campaign cautioning tobacco vendors to refrain from selling tobacco to people under the age of eighteen. Further emphasis on the regulation of tobacco sales to minors is taking place in the municipalities of Ottawa, Toronto and Hamilton.

Smoking amongst children in Ontario is governed by both Federal and provincial statutes. The Federal Tobacco Restraint Act of 1908 restricts the provision of tobacco products to any person under the age of sixteen, whether they be for their own personal use or not. The Ontario Minors' Protection Act of 1892 extends the prohibition of tobacco products to the age of eighteen, but allows for the purchase of such products on a written note from a parent or guardian between the ages of sixteen and eighteen.

The penalties for these acts have not been revised and do not serve as a deterrent. It is clear that these laws are not being enforced.

The Municipal Act delegates the powers to the municipality "for licensing, regulating and governing keepers of stores and shops where tobacco, cigars or cigarettes are sold for retail, and for revoking any such license". The current regulations are not being enforced making it relatively simple for young teenagers to procure tobacco products.

A delegation will be meeting with the legislation committee of the City of Hamilton on June 19 at 9:30 a.m.to propose amendments to Bylaw 79-323. The recommendations will include an increase in the license fee to tobacco vendors to raise money to hire by-law officers to enforce the legislation. Since there are approximately 1,500 tobacco vendors in Hamilton, a fee of $100 would bring in $150,000 for the hiring of officers.

Other suggested provisions of the proposal would call for the refusal of a license to health care facilities (including pharmacies and hospitals) and vendors within educational facilities, and the increasing of the age limit to nineteen.

The prime mover of this initiative is Dr. Michael Goodyear of The Ontario Cancer Treatment and Research Foundation. Michael represents The Hamilton Academy of Medicine on the Hamilton-Wentworth Interagency Council on Smoking and Health, and is also a member of the Non-Smokers' Rights Association and Physicians for a Smoke Free Canada.

10:00
(a)

RECEIVED

APR 28 1989

CITY CLERKS

Janice Wilson
57 Briarwood Crescent
Hamilton, Ontario
L9C 4C3
phone 385-9320

John Thompson
Secretary of the Legislation Committee
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Thompson

This letter is to request that we be given time, at your meeting of June 19, 1989, to present our reasons for asking that the cat by-law, Bill No. E-24 By-Law No. 86-343, be repealed.

I expect that we will need approximately fifteen minutes for our presentation.

It is my understanding that this meeting will take place during the daytime. If it is all possible for us to do our presentation during the evening, we would prefer this.

Thank you for your consideration.

I would appreciate receiving confirmation of the date, time and place as soon as possible.

Sincerely

Janice Wilson

April 26, 1989

(6)

CITY COUNCIL
HAMILTON, CANADA

Alderman Don Drury

71 MAIN STREET WEST L8N 3T4 • (416) 526-2733 • RES. (416) 545-7077 — WARD 3

5 June 1989

Chairman and Members
Legislation Committee

Dear Fellow Members:

RE: JUNE 19 MEETING - CAT BY-LAW

Unfortunately I will be unable to attend the June 19th meeting of the Legislation Committee wherein you will be addressing the matter of the "Cat By-law", as I will be out of town on City business. I would just like to take this opportunity to advise the Committee of my concerns.

I have thoroughly reviewed By-law No. 86-343 which is a by-law "To Regulate and Control Cats" passed on the 9th of December 1986 under the authority of paragraph 4, section 210 of the Municipal Act, R.S.O. 1980, Chapter 302.

Briefly, it is my personal opinion that this is the dumbest piece of legislation I could ever imagine a Government body enacting.

I believe the by-law allowing the S.P.C.A. to humanely dispose of or kill unclaimed cats is necessary. Similarly if the cat is injured and found to be at large the S.P.C.A. should make every effort to handle the situation humanely. However, section 3 and section 5 are a joke. Perhaps these should be revoked.

Thank you for taking the time to read my thoughts and concerns regarding this pressing matter.

Sincerely,

Don Drury
Alderman, Ward 3

DD:sn

c.c. Mr. J. Thompson, Secretary, Legislation Committee

RECEIVED

JUN 8- 1989

CITY CLERKS

(c)

Attention: John Thompson, Secretary
Legislation Committee

Date: June 5, 1989

Subject:- Cat By Law

From:- Cam Stableford
General Manager,
Hamilton SPCA

cc. Ald. Terry Cooke
Phil Hooker

RECOMMENDATION

It is recommended that;

The Corporation of the City of Hamilton continue to maintain and enforce City By Law #86-343, being a By Law to Regulate and Control Cats.

Respectfully Submitted,

Cam Stableford
General Manager
The Hamilton Society
for the Prevention of
Cruelty to Animals

Background

(attached)

The adoption of a "Cat By Law" in the City of Hamilton was motivated primarily by the large number of complaints from area constituents concerning the nuisance created by the roaming at large of domestic felines.

The Legislative Committee of the City of Hamilton requested the participation of the Hamilton SPCA in the examination of the problem and the drafting of a By Law which could address the matter.

To examine this, as well as other animal related concerns in the City of Hamilton, the Animal Control Sub-Committee was struck.

The Animal Control Sub-Committee, composed of representatives from Aldermanic Offices, the Office of the City Solicitor, and representatives from the SPCA, met on approximately seven occasions during a nine month period. Further, two public meetings were held to review draft legislation, and allow the public to express any and all concerns related to the establishment of By Laws under consideration.

The Cat By Law

This By Law was created to achieve a two-fold purpose:-

1) to alleviate the concerns of property owners falling victim to property damage and other nuisances created by roaming cats; and

2) through the requirement of a higher standard of control, to reduce the number of cats which are unnecessarily lost, injured or humanely destroyed.

In brief, the By Law was designed to protect the interests of the Community environment, as well as provide for the greater protection of cats.

The two essential features of the By Law are:-

1) **Cats are prohibited from roaming at large; and**

2) **Cats not on the property of the owner must be identified.**

Citizen Concerns

Prior to the passage of the By Law, it received the support of all sectors of the public, including cat owners.

Objections which have been raised to the By Law include the following;

Trapping is Cruel

Traps utilized are designed to confine the animal only, and are completely humane. No animal has ever been injured in the traps utilized.

The presence of a Cat By Law does not alter the right of a property owner to confine an unwanted animal, and surrender it to the proper authorities.

The availability of SPCA traps, has to a great degree reduced the use of various homemade traps, many of which are not desireable.

Cats Cannot be Confined

It can be extremely difficult to confine a mature cat which has been accustomed to roaming. If confinement efforts fail, the cat still has a measure of protection if it is identified in accordance with the By Law provisions.

Young cats may easily be trained to live indoors. Leash training is also possible.

Massive Cat Destruction

Fears have been expressed that, with the presence of a cat By Law, so called "cat haters" will be catching cats by the dozen and turning them over to the SPCA. Such fears have not materialized, and there has been little, if any increase in the number of cats received by the SPCA each year.

Enforcement Approach

The Hamilton SPCA enforces the Cat By Law on the basis of complaint only. In the instance where a property owner is experiencing a nuisance involving cats, they are provided with a humane trap in order to confine the animal in question.

Once an animal has been confined, if the owner can be determined, the animal is immediately returned to the owner, with the owner being advised of the requirements of the By Law. If the owner cannot be readily found, the animal is delivered to the Shelter where it is held for a minimum of 72 hours to permit claiming by the owner.

Citations have only been used in the case of repeat offenders.

Enforcement of the Cat By Law does not entail patrolling municipal neighborhoods in an attempt to apprehend stray cats.

Experience under By Law 86-343

Since the passage of the By Law, approximately 7,000 complaints concerning cats have been responded to in the City of Hamilton. 28.7% of all calls received at the SPCA pertain to cats. In the full two year periods of 1987/1988, 470 cats have been caught in traps, and 21 citations have been given under the By Law.

This would seem to substantiate that the City of Hamilton continues to experience nuisance problems related to cats, and that property owners do not wish cats to roam freely.

During this period, 4,000 cat owners have voluntarily registered their cats with the SPCA, and the claim rate for cats has risen by 14.5% due to the higher occurrence of identification of cats.

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

(a)

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

28 April 1989

Ms. Janice Wilson
57 Briarwood Crescent
Hamilton, Ontario
L9C 4C3

Dear Ms. Wilson:

As per your recent telephone request for information on the City of Hamilton's Cat By-law, I have attached copies of minutes of the Animal Control Sub-Committee dealing with this issue.

Your request to appear before the Legislative Committee to request that this by-law be repealed, should be made in writing to Mr. John Thompson, Secretary of the Legislation Committee in order that it may be dealt with accordingly.

Should you require additional information, do not hesitate to contact me at 526-3994.

Yours truly,

C. Coutts

Miss C. Coutts
City Clerks Department

Attached

c.c. Mr. John Thompson, Secretary
Legislation Committee

1986 October 22
4:00 o'clock p.m.
Room 264, City Hall

The Animal Control Sub-Committee met.

There were present: Alderman T. Cooke, Chairman
Alderman P. Valeriano
Mr. C. Stableford, General Manager, H.S.P.C.A.
Mr. R. Morrison, H.S.P.C.A.
Mr. P. Hooker, City Solicitor's Office

Also present: Mrs. L. Peddle, Secretary

The Committee received a presentation from Mr. Jim Sparhem from the Dog House and Bath with respect to Grooming Salons in the City of Hamilton.

Presentation - Jim Sparhem

The Committee approved the minutes of the meeting held 1986 October 8.

Mins.-86/10/8

With respect to the Cat Control By-law, Draft No. 4, the Committee agreed to amend Section 7A to read as follows:

Amendment to Cat Control By-law

(a) Not having a collar in accordance with Section 2(1) or a tag in accordance with Section 4(1).

With respect to Section 4(1), the Committee agreed that this should be a voluntary registration programme and further that the charge reflect actual costs.

The Committee then gave its approval to the Cat Control By-law as amended.

The Committee discussed the final draft of the recommendations to be presented to the next meeting of the Legislation Committee.

Final draft of recommendations to be discussed a next Leg. mtg.

Recommendations to be forwarded to the Legislation Committee are as follows:

"That the Legislation Committee adopt, in principle, the following recommendations of the Animal Control Sub-Committee, subject to consideration by the Finance Committee.

Financial Recommendation:

That an amount of $7,500 be immediately allocated to the HSPCA in order to address nuisance wildlife problems in Ward 4 and,

That an amount of $59,546 be reflected in the City's 1987 Operating Budget allowing implementation of recommendations put forth and,

That the City seek Provincial Subsidies where appropriate to reduce costs associated with nuisance wildlife control and,

That an amount of $42,000 be reflected in the City's 1987 Capital Budget allowing the purchase of three vehicles required for implementation of recommendations put forth and,

That in a period of one year, the Animal Control Sub-Committee re-examine all approved programs for effectiveness, operating costs and cost recoveries where applicable, with a view to their alteration, continuance or disbandonment.

Program Recommendations:

A Set Fines for Infraction of City of Hamilton By-law 85-145 Respecting the Licencing and Control of Dogs:

That, in order to achieve greater levels of compliance of City residents to By-law 85-148, respecting the Licencing and Control of Dogs, application be made by the Office of the City Solicitor to amend set fines for infractions as per Schedule "A" attached.

B Penalties for Dog at Large Infractions:

That application be made by the Office of the City Solicitor to allow fines to be levied for the offence, under By-law 85-148, of Allowing a Dog to run at Large of:

Set Fine	$53.00
Maximum Fine	$2000.00

Being consistant with fine levels recommended for other infractions under By-law 85-148.

C "Dog-Biting" Given Status of By-law Infraction:

That, "Allowing a Dog to Bite or Attack" be prohibited under By-law 85-248 and that fines be provided as follows:

Set Fine	$53.00
Maximum Fine	$2000.00

D Adjustment to Late Purchase:

That, in order to encourage the early purchase of dog licences by dog owners, By-law 85-148 be amended to allow a $10.00 penalty on dog licences for late renewal, effective March 1st of each year.

E Parks By-law Amendment:

That By-law 77-221 (Parks By-law) be amended to allow dogs into parks on a leash, with the stipulation that the owners stoop and scoop all defecation.

F Festival Organizers:

(a) Local Festival organizers be contacted to determine whether they wish to be included in an exemption clause in By-law 77-221 which would prohibit animals from being present during Festival Events in City Parks, and

(b) an exemption clause be added to By-law 77-221 specifying those festival events which have indicated their wish to prohibit animals from being present during their events in City Parks.

G Municipal Road Patrols:

That in order to lessen the occurence of dogs running at large within the City, 20% additional manpower be assigned for the purpose of increasing the number and frequency of municipal roads patrolled within the City of Hamilton.

Note:

Annual Costs for a 20% increase in manpower and vehicles -$19,880

H Patrols of City of Hamilton Parks for By-law Infractions:

That, enforcement programmes in City Parks be increased by 2 hours per week per park - year round and that regular year round patrols of City Parks be put in place to achieve greater compliance to City of Hamilton By-laws pertaining to leash, and stoop and scoop requirements.

Note: Costs including vehicle and manpower - $54,771.

I Keeping of Animals:

That By-law 84-191 be amended to list only:

(a) Those animals which are permitted pet animals, ie dogs, cats, small rodents, birds (such as budgies, finches), rabbits, etc., and to delete foxes, mink and racoon from the list of permitted pet animals.

(b) Permitted Farm Animals - only within "AA" Designated property.

and that:

(c) Exotic or animals wild by nature not be permitted where "exotic" is defined as non-native species wild by nature.

(d) Application be made by the Office of the City Solicitor to establish set fines of $53.00 for offences specified in By-law 84-191.

(e) The Health Department enforce noise and odour under the Health Act.

(f) Pet Shops and licenced kennels be exempted under By-law 84-191.

J Quarantine Procedures for Dogs Having Bitten:

That, routine follow-up checks be instituted by the Hamilton SPCA for quarantined animals to ensure that proper quarantine is being maintained, and that funding for follow-up checks be referred to the Health Department.

K Proposed By-law to Control Cats:

That, a By-law be adopted, pursuant to Section 210, Subsection 4 of the Municipal Act, to regulate and control cats which are at large in the City of Hamilton, and to provide for their being impounded and for the recovery of any ensuing cost to the Hamilton SPCA.

Note:

Based upon an anticipated increase in the volume of cats received per year of approximately 4,000, the Hamilton SPCA has assembled budget estimates totalling $236,000. This volume is based on the current volume of complaints being received which are not responded to due to the absence of cat control By-laws (300-400 per month.)

Actual volumes cannot be known until such a By-law may come into effect.

The Sub-Committee is of the opinion that enforcement services should be provided at a level at which the costs may be recovered, in order that additional financial burdens on the City's 1987 budget may be minimized.

Should enforcement levels prove inadequate for the funds allocated, the area must be re-examined for the provision of additional funding.

The Sub-Committee recommends that a sum of $75,000. be allowed for first year enforcement of a Cat Control By-law.

This sum will provide the following:

1/3 Increase in Dispatch Capacity	- $ 8,908
3/4 Person for Cleaning and Reception	- 18,592
One Animal Control Officer	- 30,500
Vehicle Costs	- 4,500
Food and Cleaning Supplies	- 4,000
Cages & Equipment	- 2,000
Dispatch Costs	- 7,500

L Licencing and Registration of Cats:

That:

(a) Approval in principle be given for a licencing and registration system, requiring cat owners to register their pets with the SPCA.

(b) City Council petition the Ministry of Municipal Affairs for legislation to licence and regulate cats and for the collection of fees, and that a motion to this effect be forwarded to the Resolution Committee of the Association of Municipalities of Ontario (AMO).
(see Draft Motion - Attached - Schedule "B")

(c) Municipalities of over 50,000 population be circulated for support of this legislative amendment.

M Increment to Dog Licence Fee Schedule:

1987 Fees to be shown in Schedule "C" attached.

Note:

This recommended increase is anticipated to produce a minimum of $100,000 additional annual revenues.

N Licence Fees for Disabled Persons:

That a discount of 75% be extended to handicapped individuals on the purchase of dog licences.

O Extension of Service Re: Animal Control:

That the City of Hamilton not consider extending Animal Control Services to include Saturday service at the present time.

P Property Damage Inclusion in Cat and Dog Control By-laws:

That, defecation prohibition clauses in animal control By-laws be expanded with prohibitions to encompass "defecation, urination, or otherwise cause property damage." as regards private property.

Q Sufficient Yards and Enclosures for Dogs:

That By-law 85-148, Respecting the Control and Licencing of Dogs be amended to include a clause as follows: "Every dog owner shall provide a restraint or enclosure as may be required for the specific breed for the purpose of confining the dog to the premises of the owner."

R Public Education Programme:

It is recommended that information concerning By-laws, fines, and licencing requirements be distributed to each household through the SPCA animal census programme at printing costs not to exceed $5,000.

S Animal Census Programme:

That, the Hamilton SPCA continue with the present animal census programme, and that the programme be sufficient to ensure the licencing of 90% of the dogs in the City of Hamilton.

T Control of Nuisance Wildlife & Related Matters:

Immediate Programme to Reduce Numbers of Skinks:

(a) That an immediate programme be mounted in the Red Hill Creek area to achieve significant reductions in the skunk population, at a cost not to exceed $7,500, and

(b) That the appropriate City Department conduct a thorough cleaning of the Red Hill Creek in order to discourage skunks from inhabiting the area, and, further that the Provincial Government subsidies be sought to assist in the financial burden of wildlife control programmes.

(c) That, where the services currently offered by HSPCA regarding the provision of nuisance wildlife traps are insufficient to address problems of wildlife infestation, the HSPCA engage members of the Trappers Council to capture the wildlife in question at no cost to members of the public, not to exceed $10,000.

There being no further business, the meeting then adjourned.

Taken as read and approved.

Alderman T. Cooke
Chairman

L. Peddle, Secretary

/jc

Wednesday, 1986 October 8
6:00 o'clock p.m.
Room 219, City Hall

The Animal Control Sub-Committee met.

There were present: Alderman T. Cooke, Chairman
Alderman P. Valeriano
Mr. C. Stableford, General Manager, H.S.P.C.A.
Mr. P. Hooker, City Solicitor's Office
Mrs. L. Peddle, Secretary

Also present: Alderman D. Christopherson
Delegation of residents from Ward 4
Mr. Bruce Buckland, Ministry of Natural Resources
Mr. Don Ward, Trappers Association .

Minutes - 8/14/86 & 8/21/86

It was moved by Alderman Valeriano, seconded by Mr. Stableford to adopt the minutes of the meeting held 1986 August 14 and 1986 August 21. Carried.

Letter re: guard dogs

The Committee discussed at length a letter received from Alderman Brian Hinkley regarding guard dogs.

Definition of guard dogs

It was agreed that are problems with the definition of " guard dog". It was moved by Alderman Valeriano, seconded by Mr. Stableford:

(a) "That, in principle, threatening animals be controlled in such a manner as to be confined 10 feet from the abutting property line.

(b) That Mr. Stableford of the H.S.P.C.A . and Mr. P. Hooker of the City Solicitor's Department consult on the definition of "threatening animal", and report back to the Committee at its next meeting." Carried.

Letter re: rates for disabled

The Committee was in receipt of a letter from Alderman Geraldine Copps regarding reduced licence rates for the disabled.

Alderman Cooke questioned Mr. Stableford on the current policy for Senior Citizens.

Rates for Seniors

Mr. Stableford replied that Senior Citizens currently receive a discount of 75% of the regular fee.

Motion re: rates for disabled persons

It was moved by Alderman Valeriano, seconded by Mr. Stableford:

(a) "That the present discount offered to Senior Citizens of 75% be extended to include disabled persons. By-law 85-148 to be amended accordingly." Carried.

Letter re: week-e pick up of dead animals

The Committee was in receipt of a letter from Alderman Geraldine Copps regarding week-end pick up of dead animals on City roads. Committee Members were advised that the current hours have been in place since 1977. It was moved by Alderman Valeriano, seconded by Mr. Stableford:

Motion re: above letter

(a) "That the Committee look at the need for Saturday service, and the costs involved, during upcoming budget discussions." Carried.

Draft #3 of By-La to Control Cts

The Committee discussed Draft No. 3 of the By-law to Control Cats. Questions were raised as to the intent of the By-law. Mr. Hooker of the Legal Department advised the Committee that it was his opinion that the intention of the By-law was to identify, regulate and control cats, and to curtail cats from roaming at large. Alderman Valeriano stated that this

was not his intention. He felt that the By-law was to identify the stray cats from the pets. Alderman Cooke stated that he believes the By-law was to put in place a policy that would treat cats in the same manner as dogs. Mr. Stableford agreed that this was the intention of the By-law. Alderman Cooke went on to state that the By-law as, it is now written, would give the S.P.C.A. the power to pick up problem cats.

Alderman Valeriano questioned the percentage of roaming cats that were owned versus being a stray, and was advised by Mr. Stableford that, in his opinion, 80% of the cats that are roaming are in fact owned.

Motion Re: Section 4(1) & Section 4(2) of the By-law

Mr. Stableford advised the Committee that Section 4 of the By-law would place an administrative burden on his staff. It was moved, therefore by Alderman Valeriano, seconded by Mr. Stableford:

> "That the words, for each year, under Section 4(1) would be deleted from the By-law, and further that 4(2) would be deleted in its entirety". Carried.

Intention of By-law tabled.

The Committee further discussed the original intention of the By-law and it was moved by Alderman Valeriano, seconded by Mr. Stableford and carried that this item would be tabled to the next meeting.

Motions re: By-law 85-148

The Committee discussed By-law 85-148. It was moved by Alderman Valeriano, seconded by Mr. Stableford:

> "That this By-law be amended to delete all reference to Proposed Maximum under items 1(a) to 1(l)." Carried.

It was moved by Alderman Valeriano, seconded by Mr. Stableford:

> "That Item 1 should begin, "That the proposed set fines for offences under By-law 85-148 be as follows:" Carried.

It was moved by Alderman Valeriano, seconded by Mr. Stableford:

> "That item 8(d) and 8(e) be deleted." Carried.

Discussion on increases in fees

The Committee discussed whether or not the increases as shown would cover the costs for an increase in control officers. Mr. Stableford was requested to report back on the background and rational of the increases as shown, and to advise the Committee what revenue would be generated if a 10% increase was approved.

Delegation from Ward 4 re: skunks

A delegation of residents from Ward 4 came before the Committee, regarding a problem that they are experiencing with skunks.

B. Buckland & D. Ward introduced

Alderman Cooke welcomed those present and introduced the members of the Committee, as well as Mr. Bruce Buckland of the Ministry of Natural Resources and Mr. Don Ward of the Trappers Association. Alderman Cooke then turned the floor over to Alderman Christopherson.

Discussion on skunk problem

Alderman Christopherson stated that skunks are a major problem, and it was the intention of the delegation tonight to make the Committee aware of the extent of the skunk problem. Alderman Christopherson also relayed a message to the Committee from Alderman Collins that there is a problem with skunks in Ward 5 as well.

Barb Blayney

Barb Blayney then related her personal experience with skunks that currently live underneath a shed in her backyard.

Mrs. Garten

Mrs. Garten of Glassco Avenue advised the Committee that she is aware of skunks living underneath her friend's homes.

Irene Charters of Glassco Avenue advised the Committee that, during the evenings, it sounds as if skunks are digging underneath the fence right underneath the house. This, she says, is the worst year that they have had so far. — Irene Charters

Wanda Stevenson of Glassco Avenue stated that she must place plywood in her backyard to cover holes that skunks are making every night. — Wanda Stevenson

Josie Coss advised that she had tried using the traps available from the S.P.C.A., but that they did not work. Skunks are in her backyard every night. — Josie Coss

Mr. Robert Todd of Dunsmure Avenue questioned the S.P.C.A. on what happens to the skunks that are caught. Mr. Stableford replied that they are destroyed, and that this has been the policy for the past three years. — Robert Todd

Alderman Cooke asked the citizens to hold their questions as the people from the S.P.C.A., the Ministry of Natural Resources and the Trappers Association were making note of all questions raised and would reply when all of their concerns were made known. — Citizens asked to hold questions to end

Mr. Lou Henderson of 1861 Main Street East advised the Committee that skunks were digging for grubs in his backyard. He purchased a chemical to spray his lawn for grubs and the skunks, after that time. stayed away. Mr. Henderson commented that perhaps this chemical could be used to help keep skunks away from peoples' yards. — Lou Henderson

Mrs. Blayney stated that the skunk problem is definitely spreading, as friends from her old neighbourhood have told her that they can now smell skunks. — Barb Blayney

Mr. Alex Brachuk asked whether or not skunks were susceptible to rabies. He was advised by Mr. Bruce Buckland that they were very much susceptible to rabies. — Alex Brachuk

Mr. Henderson asked what the people could do to deter the skunks, and was advised by Mr. Buckland that they must get rid of the food and shelter that the skunks presently have. Mr. Henderson commented that the skunks would just move elsewhere. — Mr. Henderson

A question on the use of firearms within City limits was raised by Mr. Todd and he was advised of Municipal restrictions by Mr. Bruce Buckland. — Question on fire-arms

Mrs. Blayney stated that she was afraid for her children, because of the possibility of rabies. — Mrs. Blayney

Mr. Matheson of 33 Glassco Avenue South stated that he could not go into his backyard at night, as the skunks were very aggressive. — Mr. Matheson

Mr. Stableford advised all present that in June of this year, the fee for the use of traps to remove nuisance wildlife had been waived. He further advised that the live traps are all that is available to the S.P.C.A. — Fee for traps waived

Mr. Bruce Buckland of the Ministry of Natural Resources then addressed the delegation. He advised that the wildlife population was very difficult to control because of the escarpment and valley areas in the City of Hamilton. He suggested that the City look into a programme under Section 38 that would supply some funding in order to attempt to clean up some of these areas that the skunks prefer. He further advised that the Ministry had just recently signed an agreement with the City of Brantford regarding the removal of nuisance animals. A copy of this agreement was left with Mr. Hooker of the Legal Department. — Bruce Buckland re reasons for high wildlife populati; Funding for clean up

Don Ward re: Association members willing to trap

Mr. Don Ward of the Trappers Association advised the delegation that members of his Association are willing to trap skunks on residents' properties. He then went on to state the fee involved.

Ald. Valeriano asks about increase in propblem

Alderman Valeriano enquired whether or not there was an increase in skunk complaints this year and was advised by Mr. Stableford that the volume of traps being used by residents doubled in 1985 over 1984, and that the current level of 1986 was the same as in 1985.

Ald. Valeriano asks about gov't. monies for help

Alderman Valeriano enquired whether or not the Provincial or Federal levels of government would contribute any monies to help combat this problem. He was advised by Mr. Buckland that Hamilton was unique because of the valley and wooded areas, and therefore funding should be available.

Advice from Trappers Assoc.

Mr. Ward of the Trappers Association advised residents to place a 12" gauge screen down to the depth of one foot around the entire area of their house leaving only one small gap so that the skunks would have to go in and out through that area and then could be easily trapped.

It was agreed by the members of the Committee that this was not an isolated problem.

Citizen question traps.

Citizens questioned the S.P.C.A. as to whether or not they clean the traps after they have been returned.

Mr. Stableford advised that the traps were best left alone as disinfectant would scare away the animals.

Summary comments

Alderman Cooke made the following summary comments:

(a) That there definitely is a skunk problem;

(b) That the skunk problem has increased over past years;

(c) That the City is somewhat responsible;

(d) That the problem is immediate.

Motion re: report on skunk problem

It was moved by Alderman Valeriano, seconded by Mr. Stableford:

"That staff be asked to report on the necessary steps required to eradicate the skunk problem and advise the Committee of the costs involved." Carried.

Adjournment

There being no further business, it was moved by Alderman Valeriano, seconded by Mr. Stableford that the meeting be adjourned. Carried.

Thursday, 1986 August 21
7:00 o'clock p.m.
Foyer, Second Floor
City Hall

Public Meeting - Animal Control Sub-Committee.

There were present: Alderman T. Cooke, Chairman
Alderman P. Valeriano
Mr. Cam Stableford, General Manager, S.P.C.A.
Mr. B. Morrison, Animal Control Supervisor, H.S.P.C.A.
Mrs. S.K. Reeder, Secretary
Ms. Cathy Good

Regrets: Mr. P.R.A. Hooker, City Solicitor's Office

Alderman Cooke received the recommendations being proposed. — Proposed recomm's

Cam Stableford outlined the issues of Animal Control and provided background on this matter. — Animal Control issues presented

Alderman Valeriano addressed the meeting on the general issues. — Ald. Valeriano

A public discussion followed:

Mr. Mac Cline of Cline Avenue was opposed to cat control. He feels that they keep down the mice and rat population. He is against licencing cats, but feels that there should be free clinics for spaying and neutering. — Mr. M. Cline- opposed to cat control

An unnamed woman then addressed the meeting. She was opposed to licencing cats. She felt that there were too many stray cats spreading disease to other animals. — Woman opposing cat licencing

Mr. Stableford discussed the cost of spaying and neutering cats in relation to the cost of maintaining litters of cats. He also discussed registering cats on a one-time basis for the life of the cat in order to identify a cat with its owner. Alderman Cooke stated that the H.S.P.C.A. spends $160,000.00 annually on the keeping and killing of cats. — Costs of spaying neutering cats v maintaining litt

Mr. Bradley Gloin of Pearl Street addressed the Committee regarding the feasibility of allowing property owners to trap animals. He felt that Hamilton is very poor at enforcing its Animal Control By-laws. — Mr. B. Gloin - By-law enforceme

Alderman Cooke responded to his allegations in stating that people are feeding cats and disclaiming ownership. He stated that imposing the maximum fine on pet owners would discourage citizens from repeating offences. — Ald. Cooke re: Maximum fines imposed

A citizen then stated that he felt the By-law should be changed regarding the fact that cats had to be confined before the H.S.P.C.A. would pick it up. Alderman Cooke stated that the present law allows cats to stray and the H.S.P.C.A. were not allowed to pick up stray cats. — Citizen re: STRAY CATS

A few residents then discussed their feelings that cats don't create a problem. One man suggested that people who wish to keep excessive numbers of animals should apply for re-zoning to give them kennel status. — Gen'l. discussic on cats & re-zor for kennels

After considerable discussion regarding enforcement of the By-laws and the feasibility of a spaying and neutering programme, Mr. Stableford stated that the hard, cold fact was that it would cost the City 2.4 million dollars for such a programme. — Cost of spaying/ neutering progra

Cam Stableford was in receipt of a letter from Mr. Nick Bohaychuk, 175 Kimberly Drive, stating that he was in favour of cat control. — Letter in favour cat control

Alderman Cooke then invited any written submissions and stated that the recommendations would go before the Legislation Committee. — Written submissi invited

There being no further business, the meeting then adjourned.

Taken as read and approved.

Alderman T. Cooke
Chairman

Susan K. Reeder
Secretary

Thursday, 1986 August 14
12:00 o'clock noon
Room 219, City Hall

The Animal Control Sub-Committee met.

There were present: Alderman T. Cooke, Chairman
Mr. C. Stableford, General Manager, Hamilton S.P.C.A.
Mr. B. Morrison, Animal Control Supervisor
Hamilton S.P.C.A.
Dr. Brown, Hamilton-Wentworth Regional Health Unit
Mr. J. Ford, Hamilton-Wentworth Regional Health Unit
Mr. P. R. A. Hooker, City Solicitor's Office
Mr. J. Johnston, Acting Secretary

Regrets: Alderman P. Valeriano

Adoption of Minutes

It was moved by Mr. Stableford, seconded by Mr. Morrison and carried to adopt the minutes of the meeting held 1986 July 31.

Duplicate Service Animal Control - City and the Regional Health Unit

Alderman Cooke provided to the Secretary correspondence received from Mr. Jack Terrana and from Mrs. Ruth Crook. Alderman Cooke advised the Committee that representatives of the Regional Health Unit were present to answer any questions that they might have.

Mr. Morrison questioned whether the S.P.C.A. and the Hamilton-Wentworth Regional Health Unit were providing a duplicate service in the area of Animal Control.

Mr. Jim Ford , stated that there was a verbal agreement between the City and the Health Unit that the City would look after controlling the numbers of animals in individual residences, and that the Health Unit would look after any sanitation problems which might arise, such as cleanliness of cages.

By-law - Enforcement Procedures

Alderman Cooke questioned whether or not the by-laws which each of the agencies enforced were consistent, and Mr. Ford indicated that they were.

Members of the Committee discussed the enforcement procedures used by each agency and the method that each agency used to investigate and resolve complaints.

It was agreed that problems such as odour could be separated from those problems which dealt with the number of animals.

Questions were raised as to whether there were set fines provided for the Health by-law, and the Committee was advised by Mr. Hooker that there were not.

The Committee discussed which agency should enforce By-law 84-191 and whether or not the By-law was enforceable and whether or not there circumstances in which it should not be enforceable.

In response to a question, Mr. Hooker stated that the number of animals referred to in By-law 84-191 applies to each dwelling unit regardless of the number of adults in the residence.

Alderman Cooke enquired whether or not By-law 84-191 could be amended to permit a "grandfather clause" where no enforcement would take place with respect to numbers unless other factors such as odour or noise were present.

Mr. Hooker advised that such a course of action would be improper. Mr. Stableford then suggested to the Committee that the number of animals remain at two and that future efforts be directed toward public education.

Procedures for Quarantining of Dogs

The Committee discussed at length, the procedures for quarantining dogs that had bitten someone.

Concern was expressed by various Committee members at the apparent lack of follow up inspections.

It was moved by Mr. Stableford, seconded by Mr. Morrison and carried:

> "that routine follow-up checks be instituted for quarantined animals and that additional funds be provided to the Hamilton S.P.C.A. by the City of Hamilton for that purpose."

Cat Control - Other Municipalities

Mr. Morrison reported on cat control in other Canadian municipalities and indicated to the Committee that Gloucester was the only other City in Ontario with cat control and that he had requested a copy of their by-law to be forwarded to him. He further stated that Brantford has restricted the number of cats per household to four.

Mr. Hooker advised the Committee that in his view there is no permissible legislation for the licencing of cats in Ontario.

Legal Advice - Licencing of Cats

The Committee had considerable discussion in regards to this legal advice and alternative solutions to the licencing of cats.

It was moved by Mr. Stableford and seconded by Mr. Morrison and carried:

> "that in the Sub-Committee's final report, the City Council be requested to petition the Ministry of Municipal Affairs for legislation to licence and regulate cats and for the collection of fees and that we circulate municipalities with more than 50,000 people for support."

Cost Estimates -Regulation of Cats and Other Animals

The Committee discussed the cost estimates for the regulation of cats and other animals provided by the Hamilton S.P.C.A.

It was moved by Mr. Stableford, seconded by Mr. Morrison and carried:

> "that in the Sub-Committee's final report, the Legislation Committee be asked to direct the City Solicitor to draft a by-law pursuant to section 210, subsection 4 of the Municipal Act, To Regulate and Control Animals other than Dogs which are at Large in the City of Hamilton and to Provide for their being Impounded and for the Recovery of any Ensuing Cost to the S.P.C.A."

It was moved by Mr. Stableford, seconded by Mr. Morrison and carried:

> "that in the Sub-Committee's final report the Legislation Committee be asked to request that the Finance Committee provide additional funding to the S.P.C.A. to cover any additional costs which the S.P.C.A. may have as a result of new Animal Control Legislation passed by the City."

Sample Advertisement -Public Meeting August 21

The Committee considered a sample advertisement provided by the Secretary for a public meeting on 1986 August 21, and approved the content.

Animal Control Sub-Committee Thursday, 1986 August 14

Licencing Fees

The Committee held a discussion on licencing fees proposed by the S.P.C.A., it was moved by Mr. Stableford, seconded by Mr. Morrison and carried:

> "that licence fees for 1987 be increased by 10% and thereafter by an amount equal to the rise in inflation in each following year."

Adjournment

It was moved by Mr. Stableford, seconded by Mr. Morrison, that the meeting then adjourn.

Taken as read and approved,



Mr. J. Johnston
Acting Secretary

ALDERMAN T. COOKE, CHAIRMAN
ANIMAL CONTROL SUB-COMMITTEE

Thursday, 1986 July 31
2:00 o'clock p.m.
Room 219, City Hall

The Animal Control Sub-Committee met.

There were present: Alderman T. Cooke, Chairman
Alderman P. Valeriano
Mr. B. Morrison, Animal Control Supervisor, Hamilton S.P.C.A.
Mr. P. Hooker, City Solicitor's Department
Mrs. S. K. Reeder, Secretary

Regrets: Mr. C. Stableford, General Manager, Hamilton S.P.C.A.

Minutes - 1986 July 17

The Committee perused the minutes of the meeting held Thursday, 1986 July 17 and (2) amendments were made as follows:

Amendments

Paragraph No. 2 should read: "The Committee perused the fine structure on tickets included in By-law 85-148". Page 2 of the last sentence should read: "To establish pound fee of $10.00 plus $3.00 per day while the animal is in custody."

Following these amendments it was moved by Mr. Hooker, seconded by Alderman Valeriano and carried to adopt the minutes as amended.

Dogs Defecating in Public Places - Fine

Alderman Valeriano raised the matter of the fine structure for tickets with respect to allowing dogs to defecate in public places. He requested that the proposed set fine be increased from $53.00 to $75.00.

Parks By-law

Alderman Cooke advised the Committee that the Parks By-law presently in effect prohibits animals from being in parks at all times. He indicated that this portion of the By-law will be used to enforce animals not being allowed in Gage Park during the Festival of Friends weekend.

He added that he does not feel it is necessary to have animals barred from parks at all times and indicated that this By-law should be reviewed.

Following discussion on the Parks By-law, it was moved by Alderman Valeriano, seconded by Alderman Cooke and carried:

> "to amend the Parks By-law to allow dogs into parks on leash with the stipulation the owners stoop and scoop."

By-law Exemptions for Specified Parks and Events

Mr. Bob Morrison suggested that perhaps some parks should not be accessible to dogs.

It was then suggested that the same type of format used in the Noise Control By-law which specifies certain areas could be used i.e. specifying that animals not be allowed into parks during Festival of Friends, It's Your Day, etc. events.

Following some discussion, it was moved by Alderman Valeriano, seconded by Mr. Morrison and carried:

"that the various Festival organizers be contacted in a method to determine whether they wish to be included in the exemption clause in the By-law which would prohibit animals from being present during Festival events in City Parks."

Enforcement Amendments, Operating Changes & Implementation Costs

Dog Survey Results

The Committee perused a report received from Mr.Stableford of the Hamilton S.P.C.A. respecting enforcement amendments, operating changes and implementation costs.

Mr. Morrison reported on Mr. Stableford's behalf. He distributed a copy of the results of a dog survey/licencing program in its first week of operation.

Some disucssion then ensued on the anticipated revenues that would be received from this type of door to door survey.

Mr. Morrison indicated that this is a 3 month survey which will conclude in October and that the survey will show the amount of revenues that can be expected.

Road & Park Patrols -Increased Services

The Committee considered a report on Road and Park Patrols and following discussion on the projected cost of these increased services, it was moved by Alderman Valeriano, seconded by Mr. Morrison and carried:

"to adopt the proposals as follows:

1. Road Patrols

Goal - to increase manpower availability devoted to municipal road patrols in order to reduce the number of dogs running at large within the City.

- to achieve a 20% increase in municipal road patrols.

Resources

Manpower: 1,000 man hours @ $15.23	15,230	
Vehicle Costs: 1/2 vehicle		
- vehicle operation	2,650	
- vehicle depreciation	2,000	19,880

2. Parks Patrols

Goal - to achieve a reduction in By-law infractions occuring in City Parks.

- to assign specific manpower, allowing By-law enforcement officers to be present in each City Parks for an average of 2 hours per week.

Resources

Manpower: 3,120 man hours @ $15.23	47,517	
Vehicle Costs: (.78 vehicles)		
- vehicle operation	4,134	
- vehicle depreciation	3,120	54,831

Cat Control

The Committee discussed the issue of cat control and it was pointed out by Mr. Hooker of the Solicitor's Department that the Municipal Act does not allow for licencing and controlling of cats.

Review of Other Municipalities Methods of Cat Control

Following considerable discussion on this matter, it was moved by Alderman Valeriano, seconded by Mr. Morrison and carried:

"that investigation be done on how other cities in Canada control the cat population and that this matter be reported at the next meeting."

By-law - 84-191 - The Keeping of Animals

The Committee perused the recommendations with respect to By-law 84-191 -The Keeping of Animals and following discussion it was moved by Alderman Valeriano, seconded by Mr. Morrison and carried:

1. That By-law 84-191 be amended to list only:

   (i) permitted pet animals i.e. dogs, cats, small rodents, birds (such as budgies), finches, rabbits, etc., and to delete foxes, mink and racoon from the list of permitted pet animals.

   (ii) permitted farm animals - only within "AA" Designated Property.

   (iii) Exotic or Animals Wild by Nature not be permitted where exotic is defined as Non Native Species Wild by Nature.

2. That a maximum fine be set at $2,000.00

3. That a set fine be set at $53.00 or minimum fine of $100.00.

4. That the Health Department enforce Noise and Odor under the Health Act - this would eliminate duplicity and services.

Areas of Enforcement - Health Department

Following discussion on the areas of enforcement of the Health Department, it was moved by Alderman Cooke, seconded by Alderman Valeriano and carried:

"that a representative of the Health Department be invited to attend the next meeting of the Committee in order to outline the duties of the Health Department."

Number of Animals Allowed

The Committee discussed the number of animals that can be kept by a pet owner.

It was then moved by Alderman Valeriano, seconded by Alderman Cooke and carried:

"that the Hamilton S.P.C.A. be requested to review the numbers specified in the By-law and come back to the next meeting with a report on this matter."

Next Regular Meeting

It was agreed that the next regular meeting of the Committee would be held on Thursday, 1986 August 14 at 12:00 o'clock noon.

Public Meeting

It was further agreed that a tentative public meeting would be held on Thursday, 1986 August 21 at 7:00 o'clock p.m.

Animal Control Sub-Committee Thursday, 1986 July 31

It was agreed that the Committee would discuss the recommendations that would be put before the public at their meeting of the 14th.

Adjournment

There being no further business, the meeting then adjourned.

Taken as read and approved,

Mrs. S. K. Reeder
Secretary

ALDERMAN T. COOKE, CHAIRMAN
ANIMAL CONTROL SUB-COMMITTEE

Thursday, 1986 June 26
7:00 o'clock p.m.
City Hall Foyer
Second Floor

A Public Meeting of the Animal Control Sub-Committee was held.

There were present: Alderman T. Cooke, Chairman
Alderman P. Valeriano
Mr. Cam Stableford, General Manager, H.S.P.C.A.
Bob Morrison, Animal Control Supervisor, H.S.P.C.A.
Mr. Phil Hooker, City Solicitor's Dept.
Susan K. Reeder, Secretary

Alderman Cooke welcomed citizens to the meeting which was being held for the purpose of receiving input of animal control. — Welcoming citize

Cam Stableford then reveiwed the background on this issue and proceeded to explain the Summary of Recommendations sheet distributed to all persons in attendance. He added that these were recommendations only and could be added or deleted to as required. Following his background and review of the recommendations, the floor was then opened to citizen input. — Background & recommendations given

Sandi Phillips, 85 Napier Street, Hamilton, Ont., L8R 1R9 - 523-7340, addressed the committee. She indicated that she is in agreement with the recommendations just discussed. She added that she is a cat owner, and that her cat is confined to the house. She finds great annoyance at cats trespasssing on her property and causing considerable damage which she outlined in detail. She further added her frustration at dogs also running at large. Her suggestions for animal control include raising fees substantially for fines in order that people obtain licenses. She further added that cats should be restrained on the owners' property and not allowed to run at large. — Sandi Phillips addresses cttee. re: cats

Some discussion then ensued on the differences of licensing spayed animals vs non-spayed animals. — Spayed vs non-spa

Cam Stableford indicated that there is no provincial legislation authorizing municipalities to license cats. He indicated that the alternative would be to charge a permit fee for owning a cat. However, he added that this would be an ineffective method of control since it would not allow for recordings of who owns the cat. He added that the City of Calgary hired college students in the past who have covered the City in two years for the purpose of knocking on doors and requesting that animals in the household be licensed. He added that the City of Calgary has 40,000 licensed dogs and, at an average fee per license of $36.00, that the administrative costs of doing a door-to-door campaign have been covered. — Licensing of cats — Door-to-door campaign in Calga

Mr. Higgins, 113 Tisdale Avenue North, Hamilton, Ont., L8L 5M5 - 529-3615, addressed the committee. He complained of excessive dog barking in his area. It was added then by Mr. Stableford that barking dogs come under the jurisdiction of Noise Control, and that he should be contacting the Health Department. Phil Hooker of the Solicitor's Department indicated that a complaint of dogs barking must eminate from a neighbourhood, not just one person according to the city by-law. He added that objectors must be willing to go to court on the issue and that the court fine is minimal. — Mr. Higgins addresses cttee. re: barking dogs

Discussion ensued on whether court procedures could be changed to prevent court appearances in these cases and that a direct fine be established. — Court procedures discussed

Mrs. Street, 70 Province Street South, Hamilton, L8K 2K8 - 549-1939, addressed the committee. She indicated that most of her neighbours observe the "Stoop and Scoop" procedure. She suggested that increased patrols be done to monitor animals running at large and supports a public education programme. She believes that most people do obey the regulations. She further suggested a Neighbourhood Watch type of programme for enforcement. — Mrs. Street addresses the ctt re: animals at la

No. of Animal Control Officers

Cam Stableford indicated that the H.S.P.C.A. has five full-time and three part-time Animal Control Officers to serve the entire Region for animal control. He added that this is not enough staff for effective enforcement.

Mrs. Street added that she supports the City of Calgary's method of licensing animals and suggests that Hamilton could adopt the same. In conclusion, Mrs. Street added that she believes only 15% of pet owners are irresponsible.

Peter Acker addresses the cttee re: licensing

Mr. Peter Acker, 66 Leeming Street, Hamilton, L8L 5T3 - 525-9659 addressed the committee. Mr. Acker indicated that he agrees with cat licensing and indicated that he is an owner of two dogs who are confined either in runs or in the house. He objects to those people who do not license their animals, and added that the fines should be substantial for those people. Mr. Acker added that he feels it is discriminatory to license only dogs and not cats and that a heavy fine would encourage licensing adherence. He added that he does not feel that the hours of licensing enforcement are sufficient to meet the needs, ie, no enforcement during week-ends, long holidays, etc. He further suggested that computer use be utilized in order to maintain records of repeat offenders and that fines should be increased each consecutive time. He added that the S.P.C.A. should receive adequate funds to enforce the by-laws.

Citizen speaks on increased funding

A woman attending the meeting spoke, but did not wish to give her name only that she lives outside the City of Hamilton, indicated that she does not see does not see increased funding as necessary for animal control when other issues are more important, ie, pollution, etc.

Joan Bonello addressed the cttee re: cats

Joan Bonello, 230 East Ave. North, Hamilton, L8L 5J3, addressed the committee. She works with stray animals and works towards giving them to people who will provide good homes to them. She added that she thinks licensing will help control the large number of cats in the City. She suggested that many people do not call the S.P.C.A. when an animal is running at large because the general public perceives the S.P.C.A. as putting animals down and they do not want to be responsible for this.

Mr. Baranowski addressed the cttee

Mr. Baranowski, 102 Hillyard Street, Hamilton, L8L 6B6, addressed the committee. He indicated that he was attending the meeting for information but did not have any suggestions to make.

Money from fines going to SPCA

General discussion took place. Mr. Acker suggested that fines collected be turned over to the S.P.C.A. rather than going to City treasury funds. It was indicated by Mr. Stableford that as of January, 1986 this is being done.

Spaying of animals

Cam Stableford indicated that the suggestion of having the City assume the cost of spaying animals would have to be analyzed by looking at cost vs worth of such a programme and its possible long-term advantages or disadvantages. He added that the general public perception of cats is that they are not valued since cats can be obtained freely through the paper. He emphasized that an animal, ie a pedigreed dog, that has an incredible cost is of more value and people tend to obey guidelines for them as compared to an animal that they did not pay a fee to obtain.

Increasing rates for unspayed animals

It was suggested that perhaps an increased fee rate going up each year be charged for every year that an animal is not spayed. Mr. Acker agreed that an increased fee rate for an unspayed animal would essentially increase the value of the animal to the owner.

Summing up

A General summing up then took place by the sub-committee members. Mr. Hooker of the City Solicitor's Department suggested that any recommendations placed before the Legislation Committee not be overly rigid. Mr. Morrison added that he would prefer that the fee structure not be so high that it would prohibit people of limited means of owning an animal. Alderman Valeriano added that he feels the timing is right for change in the animal control issue. Mr. Stableford indicated that all factors have to be balanced for effectiveness of animal control. Alderman Cooke -

added that he is anticipating a change in this matter and that analyzing public opinion is an important part. He then thanked members of the public for attending and provinding their input on this matter.

There being no further business, the meeting then adjourned. Adjournment

Taken as read and approved,

Alderman T. Cooke, Chairman

Susan K. Reeder, Secretary

Bill No. (e)

The Corporation of the City of Hamilto

BY-LAW NO. 86-343

TO REGULATE AND CONTROL CATS

WHEREAS paragraph 4 of Section 210 of The Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

> 4. For prohibiting or regulating within any part of the municipality or within any defined area thereof, or upon any defined highways therein, the being at large or trespassing of animals, other than dogs, and for providing for impounding them and for causing them to be sold, if they are not claimed within a reasonable time or if the damages, fines and expenses are not paid according to law.

AND WHEREAS it is intended to control cats in the City.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Definitions

1. (a) **"be at large"** means to be found in any place other than the premises of the owner of the cat and not under the control of any person;

(b) **"by-law enforcement officer"** means an animal control officer appointed as poundkeeper and designated as a Provincial Offences Officer;

(c) **"cat"** means a feline over the age of six weeks of any breed of domesticated cat or cross-breed domesticated cat;

(d) **"city"** means The Corporation of the City of Hamilton;

(e) **"control"** includes care and custody;

(f) **"Hamilton S.P.C.A."** means the Hamilton Society for the Prevention of Cruelty to Animals, Inc.;

(g) **"highway"** means a common and public highway, street, avenue, parkway, driveway, square, place and bridge, designed and intended for or used by the general public for the passage of vehicles;

(h) **"municipal property"** means property other than a highway or public property;

(i) **"poundkeeper"** means the Hamilton S.P.C.A.;

(j) **"public park"** means a park, recreation area, recreation centre, playlot, playground, school ground, athletic field, square, avenue, boulevard, drive, and any building thereon intended for, or used by, the general public;

(k) "public place" includes a highway, public park and other municipal property;

(l) "Veterinarian" means a person registered under The Veterinarians Act.

Name and Address of Owner

2. (1) Every cat owner shall place on his or her cat a collar on which is permanently enscribed the name and address of the owner.

Owner's Premises

(2) No cat owner shall permit his or her cat to be found in any place other than the premises of the owner, without a collar referred to in subsection 1.

Cat at Large

3. (1) No cat owner shall allow or permit his or her cat to be at large.

Ibid.

(2) Every cat owner shall prevent his or her cat from being at large.

Number on Collar

4. (1) Notwithstanding section 2, a cat owner may lodge his or her name and address with the Hamilton S.P.C.A. and receive a number to be enscribed on the collar or a tag on which the number is enscribed for attachment to the collar, but nothing obliges the Hamilton S.P.C.A. to provide a number or a tag.

Number in lieu of Name and Address

(2) Where a number is received and is valid in accordance with subsections 1 and 2 and the number is enscribed on the collar or on a tag attached to the collar, section 2 shall not apply.

Trespass

5. (1) No cat owner shall allow or permit his or her cat to trespass on a public place.

Leash

(2) Subsection 1 does not apply where the cat is under control by means of a leash.

Private Property

6. (1) No cat owner shall allow or permit his or her cat to trespass on private property.

Ibid.

(2) Subsection 1 does not apply where the cat is on the private property with consent of the owner or his or her representative.

Capture and Custody of Cats

7. A by-law enforcement officer may capture and take into custody a cat,

(a) not having a collar in accordance with subsection 2(1) or a tag in accordance with subsection 4(1);

(b) that is at large;

(c) that is not under control by means of a leash;

(d) that is trespassing on a public place;

(e) that is trespassing on private property, upon request of the owner of the property or his representative.

Impounding

8. Where the Hamilton S.P.C.A. captures and takes into custody a cat under section 6, it shall impound the cat.

Expenses

9. Where a cat is impounded and the owner of the cat is known to the Hamilton S.P.C.A., the owner shall pay the following expenses incurred by the Hamilton S.P.C.A.:

1. Expenses of taking the cat into custody.

2. Expenses of care of the cat.

3. Veterinarian fees.

Claiming a Cat

10. (1) Every cat owner shall claim the cat within three days of the day on which the cat was impounded, excluding the day of impounding, Sundays and statutory holidays.

Disposal of Cats

(2) Where a cat is not claimed by its owner in accordance with subsection 10(1), the cat may be sold forthwith or disposed of or killed in a humane manner.

Ibid.

11. Where a cat is injured before or after being taken into custody or in the opinion of the Hamilton S.P.C.A. should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Animal Control Officer or other officer appointed by the Hamilton S.P.C.A. may kill the cat in a humane manner as soon after capture or custody as he may determine without permitting any person to reclaim the cat or without offering it for sale.

Retrieval of Cats

12. (1) No person shall forceably retrieve a cat from a by-law enforcement officer.

Ibid.

(2) No person shall break and enter into a patrol or other vehicle of the Hamilton S.P.C.A. for the purposes of retrieving a cat.

Ibid.

(3) No person shall retrieve a cat without payment of expenses in full referred to in section 8.

No Compensation, etc.

13. No compensation, damages, fees or other sum shall be,

(a) recoverable by a cat owner or other person;

(b) paid by the Hamilton S.P.C.A.,

on account of, or by reason of,

(c) capturing, taking into custody, or impounding a cat; or

(d) selling, disposing of or killing a cat,

in the course of the administration and enforcement of this by-law.

Defecation

14. (1) No cat owner and no person who has control of a cat shall suffer, allow, or permit the cat to defecate or urinate on or in the following premises:

1. Public place.

2. Private property, without the consent of the owner of the premises.

Ibid. (2) The cat owner or person referred to in subsection 1 shall immediately and without delay, remove the excrement and provide for its sanitary disposition.

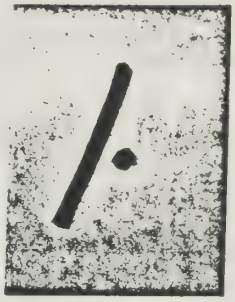
R.S.O. 1980, Ch. 400 15. Where a by-law enforcement officer believes that one or more persons has committed an offence under this by-law, the officer may issue an offence notice or summons in accordance with section 3 of The Provincial Offences Act.

Offence 16. Every person who contravenes a provision of this by-law, is guilty of an offence and on conviction is liable to a fine of not more than $2,000.

PASSED this 9th day of December A.D. 1986.

City Clerk Mayor

(1986) 17 R.L.C. 1(g), November 11
(1986) 17 R.L.C. 6, November 11



Monday, 1989 May 01
9:45 o'clock a.m.
Council Chambers, City Hall

The Legislation Committee met.

There were present: Alderman V. J. Agro, Chairman
Alderman M. Kiss, Vice-Chairman
Mayor R. M. Morrow
Alderman G. Copps
Alderman D. Drury
Alderman F. Lombardo
Alderman T. Jackson

Absent with Regrets: Alderman D. Ross
Alderman H. Merling, Vacation

Also present: Alderman D. Christopherson
Dr. I. Cunningham, Medical Officer of Health
Ms. Vicki Woodcox, Health Department
Ms. Susan Bridgehouse, Social Services Department
Mr. P. Lampman, Building Department
Mr. S. J. Dembe, Manager, Licencing Division
Mr. D. Barrow, Licencing Division
Mr. B. Loreto, City Solicitor's Office
Mr. P. Hooker, City Solicitor's Office
Mr. J. Verbek, Fire Prevention Bureau
Mr. D. Peters, Fire Prevention Bureau
Mr. P. Papp, Director, Macassa Lodge
John Thompson, Secretary

Proposed New Second Level Lodging House By-law

Alderman Agro opened the meeting by explaining that the purpose of the public meeting was to give all interested persons an opportunity to make oral or written submissions and presentations on the proposed New Second Level Lodging House By-law.

Alderman Christopherson, Chairman, Task Force Reviewing Second Level Lodging House By-law gave a brief overview of the purpose of the proposed new by-law. He explained that the Task Force took over two years to review all aspects of this complex industry adding that the proposed new by-law goes well beyond what the City can legally enforce. Under the circumstances, special or private legislation would be required to authorize the City to pass the proposed by-law.

Ms. Vicki Woodcox, Supervisor of Public Health Nursing addressed the Committee on some of the concerns that they have seen in the Nursing Division as well as their role in the Nursing Division in terms of the Second Level Lodging Home Industry.

Ms. Anne Kennedy, Public Health Services addressed the Committee on food and nutrition concerns.

Ms. Leslie Gibbons of the Social Services Department addressed the Committee on such matters as proper and adequate training for staff in the Second Level Lodging House Industry, language barriers and staff/client ratios. She emphasized that is important for a staff person be present on a 24 hour basis under the new by-law.

Mr. S. Dembe, Manager, Licencing Division outlined the licencing requirements under the proposed new by-law.

Mr. Peter Lampman addressed the Committee on the building and budget requirements under the new by-law. He explained that the Property Standards By-law will maintain the Second Level Lodging Homes once they are brought up to minimum standards.

Mr. Boris Dokic, President of the Lodging Home Association and operator of Second Level Lodging Homes addressed the Committee and submitted that he cannot support the proposed new by-law in its present form until such time as a financial commitment is made by the Province of Ontario to ensure funding for the operators to implement the by-law.

Proposed New Second Level Lodging House By-law

Alderman Christopherson responded by explaining that if funding is not forthcoming from the Province, then the by-law will not be passed. He emphasized that the pilot project to implement the New Second Level Lodging House By-law includes a mechanism to provide participation and funding by the Province. He also pointed out that the report of the Task Force recommends that the Province of Ontario fund a financial report to determine the actual adjustments in per diem rates necessary for each contracted home if the new by-law becomes operative. He emphasized that a proper financial quality analysis will take place by the Provincial Government before the by-law is enacted and unless funding is forthcoming, the by-law will not be implemented.

Mr. Aldo Martino, President, Ontario Long Term Residential Care Association, was in attendance and submitted that his Association will support the proposed by-law if there is a funding commitment by the Province of Ontario. He submitted that the first major weakness of the by-law is the City's lack of authority to pass the by-law. He pointed out that the power to regulate Second Level Lodging Homes falls under the jurisdiction of the Province. He also submitted that the issues and concerns of his Association were not properly addressed by the Task Force. He also pointed out that there are several inconsistencies in the proposed by-law with respect to licencing and zoning matters and that the entire question of funding remains unanswered.

Mr. Floyd Callum appeared before the Committee on behalf of residents of Second Level Lodging Homes who have been discharged from Provincial institutions. He explained that many of the residents who have been in Provincial institutions are abused when they are put in boarding houses. They are afraid of reprisals and that they will end up back in a Provincial hospital if they speak out. He submitted that the food conditions should be improved and that there is no designated area in Second Level Lodging Homes for the resident to visit with friends. He emphasized the need for an advocacy service.

Mr. Joe Petrovich was in attendance and submitted that the proposed legislation should focus on increasing the efficiency and adequacy of care for the residents in terms of developing a mechanism whereby they can obtain additional funding as discretionary income. He explained that he will support the by-law once the funding is in place. He questioned whether the Province will agree to fund the proposal when they have not got enough money to open up nursing homes or extended bed care.

Mr. Brian Leckie, Provincial representative, was in attendance and submitted that the Second Level Lodging House Industry is an extremely complex issue and that the Task Force should be commended for promoting deinstitutionalization. He submitted that he endorses the proposal because it provides a more objective criteria for operators and co-ordinates agencies with respect to patient care. The proposal also establishes a procedure for licencing. He stated however that funding should be in place before the legislation is implemented.

Mr. Mike Buckley of Mission Services was in attendance and submitted that he would like to see a clause inserted in the new by-law limiting the size of Second Level Lodging Homes in an attempt to ameliorate their institutional nature and promote a more home-like atmosphere which as been shown to be a key factor in the recovery process of deinstitutionalized persons. He stated that he is prepared to support the by-law in spite of some shortcomings.

Following the public meeting which lasted over three hours, it was moved by Alderman Drury, seconded by Alderman Copps and carried that the Report on the Pilot Project to Implement a New Second Level Lodging House By-law prepared by the City of Hamilton and the Regional Municipality of Hamilton-Wentworth, be accepted in its entirety without amendment.

1. MINUTES

Approval of the Minutes of the Meetings held 1989 April 03 and April 13

The minutes of the previous meetings of the Legislation Committee held 1989 April 03 and April 13 were received and adopted as circulated to the members.

2. USE OF CITY HALL FACILITIES

(a) DARTS

Darts - Use of City Hall Facilities

As outlined in a report of the City Clerk dated 1989 April 26, the Committee agreed to submit the following recommendation to City Council for approval.

That permission be granted to DARTS (Disabled and Injured Regional Transit System) to use the plaza area in front of City Hall on Transportation Day, 1989 June 05 of Access Awareness Week to display approximately 5 vehicles of various sizes.

(b) MR. ANGELO MOSCA - TICKETHON

Tickethon - Use of Council Chambers

The Committee approved the request of Mr. Angelo Mosca for the use of the Council Chambers on Sunday, 1989 May 28 for the purpose of staging a "TICKETHON" in co-operation with the Cable TV Network and CHCH TV to raise ticket sales for the Hamilton Tiger Cats.

3. RESOLUTIONS

Resolutions

(a) TOWN OF PARIS

Town of Paris - supplying fire protection to a tax exempt property

The Committee was in receipt of a copy of a resolution from the Town of Paris recommending that a municipality supplying fire protection to a tax exempt property be permitted to levy a special rate on charges for the cost of such protection, based upon assessed value which has been forwarded to the City of Hamilton for endorsation and support.

Following consideration, the Committee agreed to recommend to City Council that the following resolution from the City of Paris, be received.

WHEREAS the Honourable Robert Nixon, Minister of Treasury and Economics has stated:

"The various demands on the Province limit its ability to address these needs on its own. New ways to help finance capital infrastructure must be explored."

Municipalities also need to explore new sources of revenue.

AND WHEREAS the municipality supplies fire protection that is chargeable to the rateable properties by taxes, and that this protection is supplied to all residences and properties;

AND WHEREAS certain tax exempt properties (schools and churches) receive fire protection and use its availability to reduce their insurance costs, without making any payment to the municipality supplying such protection;

AND WHEREAS local improvement costs may be assessed against tax exempt properties. The annual fire protection costs, including capital expenditures, are continuing without assessment against tax exempt properties;

THEREFORE BE IT RESOLVED that a municipality supplying protection to a tax exempt property be permitted to levy a special rate or charges for the cost of such protection, based upon assessed value.

This resolution is to be forwarded to the Honourable Robert Nixon, M.P.P., the Honourable John Eakins, Minister of Municipal Affairs, A.M.O., O.S.U.M., and all municipalities in the Province of Ontario.

Resolution - City of Chatham - Transfer of Responsibility for Security from the Province to local municipalities

(b) CITY OF CHATHAM

The Committee was in receipt of a resolution from the City of Chatham dealing with the transfer of responsibility for security from the Province of Ontario to local municipalities which has been forwarded to the City of Hamilton for endorsation and support.

The Committee also had before it, a copy of a Brief to the Standing Committees on the Administration of Justice submitted by the Municipal Police Authorities, Ontario Association of Chiefs of Police and A.M.O. in opposition to Bill 187.

Following consideration, the Committee agreed to recommend to City Council that the following resolution from the City of Chatham, be endorsed.

WHEREAS the Legislative Assembly of the Province of Ontario is considering Bill 187 which includes a provision to place the responsibility for court security on municipalities where court facilities are located;

AND WHEREAS the proposed transfer of responsibility for court security from the Province to local municipalities is not accompanied by the provision of adequate resources to undertake this responsibility;

AND WHEREAS Bill 187 would have the effect of creating significant costs to local government for the provision of court security;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the City of Chatham opposes the placing of responsibility for court security on local police forces, and that the Premier, the Solicitor General, the Attorney General and our local M.P.P.s be advised of these concerns; and that a copy of this resolution be forwarded to the Association of Municipalities of Ontario and to all municipalities in the Province where court facilities are located requesting support for this position.

NOTE: For the information of the Members of City Council, the Legislation Committee is in receipt of a copy of the Brief to the Standing Committee on the Administration of Justice submitted by the Municipal Police authorities, Ontario Association of Chiefs of Police and AMO in opposition to Bill 187.

French Sub-Committee - Response to Canadian Parents for French (Ontario)

4. FRENCH SUB-COMMITTEE - RESPONSE TO CANADIAN PARENTS FOR FRENCH (ONTARIO)

The Committee was in receipt of a recommendation from the French Sub-Committee that the City endorse the position taken by the Canadian Parents for French (Ontario) in response to the Brief from the Alliance for the Preservation of English Canada proposing a language referendum.

Following consideration, the Committee agreed to recommend to City Council that the Brief to all Ontario municipalities from the Canadian Parents for French (Ontario) in response to the Brief from the Alliance for the Preservation of English Canada proposing a language referendum, be received.

1989 AMO Conference

5. 1989 AMO CONFERENCE

The Committee agreed to recommend to City Council that a maximum of seven (7) Members of City Council be authorized to attend the 1989 Annual Conference of the Association of Municipalities of Ontario to be held in the City of Toronto 1989 August 20 to August 23.

Notice to Transient Flower Vendors/ Service Station Owners

6. NOTICE TO TRANSIENT FLOWER VENDORS/SERVICE STATION OWNERS

The Committee was in receipt of a memorandum from Mr. S. J. Dembe, Manager, Licencing Division dated 1989 April 25 advising that in light of the most recent legal opinion from Ms. Lian Lawrence, City Solicitor's Office, dated 1989 April 19 regarding the sale of flowers from service station lots, a copy of which was distributed to all members of the Legislation Committee on 1989 April 20, a notice has been sent to the service station owners and flower vendors advising that the Committee has decided to take no action at this time.

It was noted in Mr. Dembe's memorandum that a majority of the members of the Legislation Committee was made aware of the contents of the notice prior to it being delivered on 1989 April 25 to the service station owners and flower vendors.

Notwithstanding the legal opinion on the use of the service station lots, all flower vendors were advised that they should keep all flowers and signs from encroaching on the City/Regional road allowance.

Mr. Dembe's report was tabled until the next regular meeting of the Committee for further discussion.

Adjournment

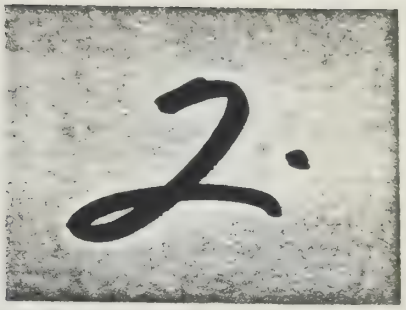
The meeting then adjourned.

Taken as read and approved,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

John Thompson, Secretary
1989 May 01

Typed by M. J. Walton



FOR ACTION

REPORT TO: Mr. J. Thompson, Secretary
Legislation Committee

FROM: Mr. Steven J. Dembe, Manager
Licence Division

DATE: 13 June 1989
COMM FILE:
DEPT FILE:

SUBJECT: Taxicab Advertising

RECOMMENDATION:

In acccordance with the recommendation of Alderman D. Drury (attached) that the Licence Division be requested to review the By-law pertaining to Taxicab Advertising. This review to be completed within 60 day.

FINANCIAL IMPLICATIONS (IF NONE, STATE N/A)

n/a

BACKGROUND

Attached is a letter from Alderman D. Drury, the relevant section of the Licence By-law respecting advertising on taxicabs along with various correspondence related to this issue. I believe Industry input should be sought before any By-law changes are proposed. It will, therefore, be necessary to determine whether the Legislation Committee, or a sub-committee, will deal with this matter.

SJD/lm

Attch.

CITY COUNCIL
HAMILTON, CANADA

Alderman Don Drury

71 MAIN STREET WEST L8N 3T4 • (416) 526-2733 • RES. (416) 545-7077 — WARD 3

JUN 2 1989

2 June 1989

Chairman and Members,
Legislation Committee

Dear Chairman and Members:

RE: BY-LAW AMENDMENT TO PROVIDE FOR TAXI CAB ADVERTISING

Over the past several months in conjunction with my work on the Taxi Cab By-law Sub-Committee I have had the opportunity to converse with many representatives of the industry. Among the multitude of concerns raised is the issue of advertising. Several of the taxi owners have indicated a willingness and indeed and urgency to take advantage of several promotional offers that will allow taxi cabs to advertise various products. In addition to the obvious revenue generation this will provide the industry, they wish to incorporate an added feature to the advertising which will allow a taxi driver to signal when he or she is in trouble. For example, a small sign can be incorporated into the advertising signage which will signal when a taxi driver is in trouble. This would be unobserveable to the passenger and thus afford the taxi driver an added measure of safety.

I am suggesting that the Legislation Committee look into this matter as soon as possible and propose an amendment to the by-law to allow for taxi cab advertising, done in a tasteful, aesthetically pleasing manner with the added safety feature.

Would you please place this on the agenda of the next Legislation Committee meeting.

Sincerely,

Don Drury
Alderman, Ward 3

DD:sn

c.c. Mr. J. Thompson, Secretary, Legislation Committee
Hamilton Journal, 928 Queenston Rd., Stoney Creek, L8G 1B7
The Hamilton Spectator, 44 Frid St., Hamilton, L8N 3G3
Mr. S. Dembe, Licence Administrator

19. Display or permit to be displayed, no advertisement on or in the taxi-cab except,

(a) two exterior advertisiing posters,

(i) not exceeding 16 inches by 28 inches in size, placed at the rear end of the taxi-cab in such a way as not to obscure the licence plates and the vision of the taxi-cab driver; and

(ii) carried in a rust-corrosion resistant frame of sufficient strength as to meet safety and insurance standards;

(b) not more than five interior advertising signs or placards, each not exceeding 10 inches by 12 inches in size, placed on the back of the front seat in such a way as not to obscure the vision of the driver and the photograph, licence and tariff card.

20. Not employ or permit any person other than a licensed driver employed by him to operate his taxi-cab.

21. At the request of a taxi-driver, give to the driver at the expiry of the driver's work shift, a receipt showing the amount turned over to the owner by the driver.

22. Keep a record of every trip, for a period of not less than three months or for such longer period as may otherwise be specified by the City by notice in writing, upon which each of the taxi-cabs is dispatched.

23. Permit the City or any person authorized by the City to remove the records referred to in regulation 22 for the purpose of this by-law.

PART 3

Taxi-Cab Drivers

14. Every taxi-cab driver shall comply with the following regulations:

19. Display or permit to be displayed, no advertisement on or in the taxi-cab except,

(a) two exterior advertisiing posters,

(i) not exceeding 16 inches by 28 inches in size, placed at the rear end of the taxi-cab in such a way as not to obscure the licence plates and the vision of the taxi-cab driver; and

(ii) carried in a rust-corrosion resistant frame of sufficient strength as to meet safety and insurance standards;

(b) not more than five interior advertising signs or placards, each not exceeding 10 inches by 12 inches in size, placed on the back of the front seat in such a way as not to obscure the vision of the driver and the photograph, licence and tariff card.

20. Not employ or permit any person other than a licensed driver employed by him to operate his taxi-cab.

21. At the request of a taxi-driver, give to the driver at the expiry of the driver's work shift, a receipt showing the amount turned over to the owner by the driver.

22. Keep a record of every trip, for a period of not less than three months or for such longer period as may otherwise be specified by the City by notice in writing, upon which each of the taxi-cabs is dispatched.

23. Permit the City or any person authorized by the City to remove the records referred to in regulation 22 for the purpose of this by-law.

PART 3

Taxi-Cab Drivers

14. Every taxi-cab driver shall comply with the following regulations:

BLUE LINE

May 15th, 1989

Mr. Steven J. Dembe
Manager, Licence Division
The Corporation of the City of Hamilton
City Hall
Hamilton, Ontario
L8N 3T4

MAY 17 1989

Dear Steve;

We have been approached recently by two companies interested in placing advertising signs on the roofs of our taxi cabs. The signs are essentially large versions of the present roof sign, plastic and internally lit. While current City bylaws prohibit this type of advertising, there may be merit to a change.

The signs themselves are currently in use in larger cities such as Toronto and New York and the cosmopolitan look they afford taxis would give a favorable first impression to the Hamilton visitor.

Both companies have indicated they do a good deal of public relations type of advertising and have provided a number of testimonials from agencies such as CrimeStoppers who have benefitted from the free use of the signs.

The signs have technical advantages over our current roof signs, incorporating such useful features as a third brake light, a "help-cabbie needs assistance" light and better company identification areas.

Small business will find the signs beneficial since the cost of advertising on the signs is low relative to other advertising mediums.

Finally, the new signs would generate additional revenue to the taxi owners at no cost to them, the City or taxi cab customers.

In summary we feel the new signs would be good for all involved and if there is anything you can do to get this message across to the Legislation Committee we would be grateful.

Sincerely,

A. Rizzuto

Anthony F. Rizzuto
President

BLUE LINE TRANSPORTATION LTD., 160 JOHN ST. S., HAMILTON, ONTARIO L8N 2C4 Tel. (416) 525-2788
MAILING ADDRESS: P.O. BOX 1006, STATION A, HAMILTON, ONTARIO L8N 3R1

Gallop & Gallop
Advertising Inc.
300 York Boulevard
Hamilton, Ontario
L8R 3K6

(416) 529-2000
Fax number
(416) 528-718

GALLOP+GALLOP

June 5, 1989

City Clerk's Office
City Hall
71 Main St. W.
Hamilton, Ontario
L8N 3T4

Attention: Mr. Steve Denbe

Dear Mr. Denbe:

Gallop & Gallop Advertising continues to strive to bring to Hamilton a successful venture - Taxilite Advertising.

Taxilites are 14" x 36", backlit advertising panels mounted on the top of taxi cabs. Such an advertising medium will allow local retailers to become more competitive in a cost efficient manner and thus creating better products and services in the business community. Taxilites have the ability to add a metropolitan image to our growing city and at the same time allow the city to venture into a concept, already accepted by other major cities, such as Toronto, Chicago and New York.

It is our belief that Hamilton can portray such an image. In doing so this vehicle could be the first step towards such a goal. Working hand in hand with the city this venture will allow us to create extra revenue for the city.

Unfortunately we have found that during our quest to bring Taxilites to Hamilton, there are circumstances beyond our control that tend to hinder our entrepreneurial spirit.

It would be appreciated in any assistance that you or your department may be able to give us in presenting to the taxicab sub-committee and legislation committee, so we can continue strive forward.

Thank you for your prompt attention to this matter and we look forward to presenting as soon as possible.

Sincerely,

George Van Arragon
Special Projects Manager

GVA/jc

Gallop & Gallop
Advertising Inc.
300 York Boulevard
Hamilton, Ontario
L8R 3K6

(416) 529-2000
Fax number
(416) 528-7189

GALLOP + GALLOP

January 19, 1989

City Clerk's Office
City Hall
71 Main St. W.
Hamilton, Ontario
L8N 3T4

Attention: Mr. Steve Dembe

Dear Mr. Dembe:

Please consider this as a formal request for the amendment to the Hamilton City Bylaw 19 Sections A(i) and (ii), which prohibits advertising on taxi cabs, with the exception of 16 by 28 inch posters placed at the rear end of the cabs.

Gallop & Gallop, an outdoor advertising company in Hamilton is currently considering a new product, Taxilites, which would require an amendment to this Bylaw. Taxilites are a 14 by 36 inch illuminated sign securely attached to the roof of taxicabs. It is an outdoor advertising medium which contains eye level ads on both sides. Taxilites are used in Toronto, Vancouver and Edmonton, as well as major cities in the United States. It is felt that this medium would be particularly beneficial in generating revenue for both taxi cab companies and the Hamilton Region in general.

Enclosed is a proposal for submission to the Taxi Cab Task Force which states the benefits, safety and visual aspects of the product. Also included is a picture of the proposed new product, Taxilites.

If you have any questions with regards to this product please do not hesitate to contact me.

Thank you for your prompt attention to this matter and I look forward to hearing from you as soon as possible.

Sincerely,

George Van Arragon
Special Project Manager

GVA/jc
Enclosure

GALLOP + GALLOP

BENEFITS, SAFETY FEATURES AND VISUAL ASPECTS OF TAXILITES

BENEFITS

TAXILITES WOULD BE BENEFICIAL TO THE CITY OF HAMILTON FOR THE FOLLOWING REASONS:

TAXILITES WOULD GENERATE OPERATING REVENUE FOR BOTH THE TAXI CAB COMPANIES AND METER SHOPS. BASED ON A FLEET OF 100 CARS, A TAXI COMPANY WOULD RECEIVE ANNUAL REVENUE OF $36,000. A METER SHOP WOULD RECEIVE $12,000 ANNUALLY.

TAXILITES WOULD INCREASE THE RECOGNIXABILITY OF TAXI CABS FOR PATRONS, WHICH WOULD, IN TURN, CREATE ADDITIONAL REVENUE FOR THE TAXI COMPANIES.

PROVIDED THERE IS FREE SPACE AVAILABLE, TAXILITES WOULD RUN ADVERTISING OF A PUBLIC SERVICE OR CHARITABLE ORGANIZATION AND/OR ADVERTISEMENTS FOR TAXI COMPANIES, FREE OF CHARGE.

TAXILITES WOULD PROVIDE INFORMATION FOR TOURISTS, WHICH WOULD BE FINANCIALLY BENEFICIAL TO LOCAL BUSINESSES AND THE REGION OF HAMILTON-WENTWORTH.

SAFETY FEATURES

TAXILITES ARE ONE PIECE UNITS WITH NO MOVING PARTS.

TAXILITES ARE SECURELY ATTACHED TO THE ROOF OF TAXI CABS.

TAXILITES ARE WEATHERPROOF.

TAXILITES ARE NOT A DISTRACTION TO MOTORISTS, AS THE UNIT IS PLACED SIDEWAYS ON TAXI CABS, WITH ADVERTISEMENTS ON BOTH SIDES.

VISUAL ASPECTS

TAXILITES PRESENT A CLEAN, BRIGHT AND UNCLUTTERED FORM OF ADVERTISING.

TAXILITES WOULD BE MAINTAINED REGULARLY BY THE METER SHOPS.

ADWHEEL





"Advertising on the move" ®

AD-DOME®

AD-DOME Canada Limited
HEAD OFFICE: SUITE 22,
266 RUTHERFORD ROAD S.
BRAMPTON, ONTARIO
CANADA L6W 3N3

FACSIMILE (416) 452-7217
TELEPHONE (416) 452-0087

April 7, 1989

Mr. Steve Dembe
Manager, Licence Department
City Clerks Office
City Hall, 71 Main Street West
Hamilton, Ontario L8N 3T4

Dear Mr. Dembe:

Our company specializes in roof-top advertising on taxis and other commercial vehicles.

It is our understanding that our form of taxicab advertising is not written into the bylaws of your city.

By receipt of this letter, we are requesting an appointment to present a proposal to amend the bylaws, to allow us to conduct business in the City of Hamilton.

We believe that the safety features incorporated in our patented AD-DOME sign will be considered a definite plus for the acceptability of our product in Hamilton, as it has proven to be in various other cities across Canada.

Enclosed is a brochure outlining the benefits of our product to the taxicab owner.

Your earliest response to our request would be most appreciated.

Yours truly,
AD-DOME Canada Limited

John C. Dickson
President

JCD/jao
Enclosure

ADWHEEL®

Messages in Motion

Craig Marshall
Area Representative

Bus. 1-945-0011 Res. 524-2870

AD PRO

A Div. of 638765 Ontario Inc.

Joel Starkman

Signs, Advertising and Promotional Aids for Business

2460 Anson Dr., Unit 16, Mississauga, Ont. L5S 1G7
(416) 671-3000 Toll Free: 1-800-263-7055

HAMILTON YELLOW CAB COMPANY LIMITED
430 CANNON STREET EAST, HAMILTON, ONTARIO L8L 2C8

APR 2 - 1989

April 24, 1989

Mr. Steve Dembe,
71 Main St. W.
Hamilton. Ont.
L8P 1H4

Dear Mr. Dembe,

It has come to our attention that the city of Hamilton is considering allowing advertising on the roofs of taxi cab. Yellow Cab would like to go on record as opposing this measure. As the largest taxi company in Hamilton, we feel it would detract from our industry's image and present an unattractive image for the city's visitors. Customers do not like roof advertising.

Yellow Cab is interested in keeping a clean image for the taxi cab industry. Please place this correspondence on the appropriate committee agenda.

Sincerely,

M. Ferguson

Martha Ferguson
Director

ADMINISTRATION (416) 522-3539 TAXI (416) 522-3535

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

4.

Memorandum

****

TO:	Chairman and Members Legislation Committee	YOUR FILE:	
FROM:	Mrs. S. Glover Secretary, Licensing Committee	OUR FILE: PHONE:	3993
SUBJECT:	**Handbill Distributors**	DATE:	1989 May 11

Attached please find correspondence received by the Licensing Committee from Alderman Brian Hinkley, Chairman, Keep Hamilton Clean Citizens Committee.

The Licensing Committee has directed me to forward Alderman Hinkley's requests to the Legislation Committee and asks for clarification into whose jurisdiction this matter falls.

Since this is a matter of considerable importance to the public and, as time will be needed in order to schedule the requested meeting, an early response would be very much appreciated.

Stella Glover

Stella Glover

SG/af
encl.
cc: Alderman B. Hinkley, Chairman, Keep Hamilton Clean Citizens Committee
Alderman D. Christopherson, Chairman, Licensing Committee

CITY COUNCIL
HAMILTON, CANADA

Brian Hinkley
Alderman Ward 3

71 MAIN STREET WEST L8N 3T4 • (416) 526-2730 • RES. (416) 572-7500

May 2, 1989

-Mrs. S. Glover, Secretary
Licencing Committee

Dear Mrs. Glover:

RE: Handbill Distributors

The Keep Hamilton Clean Citizens Committee have been attempting to encourage the handbill distributing companies to leave the flyers they deliver in the mailboxes of peoples homes. Communication has been made with a number of the handbill distributing companies and those organizations who use their services.

The committee has met with some success and some co-operation. However, there still remains a great deal of public dissatisfaction with the manner in which handbills are being left in people railings and on their verandas. Many homeowners complain that these advertising flyers find their way onto their front lawns and the public streets.

I am therefore requesting that the Licencing Committee do two things:

1. Contact all handbill distribution companies requesting that they appear before the Licencing Committee to explain this problem.

2. Recommend to the Legislation Committee a minor change to the Handbill Distributors By-law, clarifying the obligation to deposit handbills in the householders mailboxes rather than placing flyers in the railings or on the verandas.

Could you please advise me of the time, date and place when the handbill distributors will appear before the Licencing Committee.

Your co-operation in this regard is very much appreciated.

Yours very truly,

Brian Hinkley

Brian Hinkley, Chairman
Keep Hamilton Clean Citizens Committee

rd

Copies: See Attached List

cc: Ald. D. Christopherson, Chairman, Licencing Committee
cc: Ald. V. Agro, Chairman, Legislation Committee
cc: Mr. J. Thompson, Secretary, Legislation Committee
cc: Mr. D. Heintz, Secretary, Keep Hamilton Clean Citizens Committee
cc: ORION Promotions
189 Joseph Street, Kitchener, Ontario N2G 1J8
cc: Admiral Distribution
74 Randall Avenue, Stoney Creek, Ontario L8G 2K9
cc: Diamond Distribution
29 Linden Street, Hamilton, Ontario L8L 8E1
cc: Paperman Distributors Ltd.
601 Consortium Court, London, Ontario N6E 2S8
cc: Mrs. J. Bennett
187 Garside Avenue South, Hamilton, Ontario, L8K 2W3
cc: Mrs. E. Mariott
3 Dorset Place, Hamilton, Ontario L8S 3T5
cc: Local Media

CITY COUNCIL
HAMILTON, CANADA

Brian Hinkley
Alderman Ward 3

71 MAIN STREET WEST L8N 3T4 • (416) 526-2730 • RES. (416) 572-7500

May 19, 1989

Mrs. S. Glover, Secretary
Licencing Committee

Dear Mrs. Glover:

RE: Handbill Distributors

Further to my letter of May 2, 1989 with respect to the above, I would like to advise you of additional information.

It would appear that the handbills that are being distributed in the City emanate from a number of sources. Some companies are licenced while others it would appear are not. Some companies do not involve themselves in handbill distribution any longer. It would also appear that some individuals, on an adhoc basis, involve themselves in handbill distribution.

I am therefore asking the Licencing Department to attempt to determine, as best as possible, all those organizations or individuals who may be involved in this service.

I am advised that the Hamilton Spectator, through its "flyer" force; the post office; a firm called Deliveries Unlimited apparently operating out of Grimsby; a firm called Quick operating out of Toronto; an individual known as Dan Bass; and another individual known as J.D. Bartlett, may also be involved in the handbill distribution activity.

In order to have an effective and meaningful meeting, once the jurisdiction between the Legislation and Licencing Committees is determined, it will be necessary to ensure that all those involved in this business are contacted.

Your co-operation by pursuing this matter is very much appreciated.

Yours truly,

Brian Hinkley

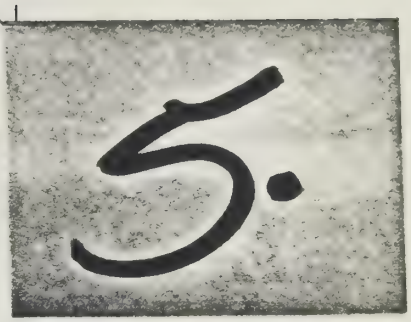
Brian Hinkley, Chairman
Keep Hamilton Clean Citizens Committee

rd

cc: See Attached List

cc: Ald. D. Christopherson, Chairman, Licencing Committee
cc: Ald. V. Agro, Chairman, Legislation Committee
cc: Ald. J. Smith
[redacted]ecretary, Legislation Committee
cc: Mr. D. Heintz, Secretary, Keep Hamilton Clean Citizens Committee
cc: ORION Promotions
189 Joseph Street, Kitchener, Ontario N2G 1J8
cc: Admiral Distribution
74 Randall Avenue, Stoney Creek, Ontario L8G 2K9
cc: Diamond Distribution
29 Linden Street, Hamilton, Ontario L8L 8E1
cc: Paperman Distributors Ltd.
601 Consortium Court, London, Ontario N6E 2S8
cc: Mrs. J. Bennett
187 Garside Avenue South, Hamilton, Ontario L8K 2W3
cc: Mrs. E. Mariott
3 Dorset Place, Hamilton, Ontario L8S 3T4
cc: Mr. Fred Ward
149 Macauley Street East, Hamilton, Ontario L8L 3X5
cc: The Hamilton Spectator, Att: "Flyer" Force
44 Frid Street, Hamilton, Ontario L8P 4M3
cc: Deliveries Unlimited Inc.
8 Elm, RR#1 Grimsby, Ontario L3M 4E7
cc: Kwik Distributors & Advertisers
96 Laird Drive, Toronto, Ontario M4G 3V3
cc: Local Media

MEMORANDUM • CITY OF HAMILTON



TO : John Thompson, Secretary
Legislation Committee

YOUR FILE:

FROM : S. J. Dembe, Manager
Licence Division

OUR FILE :

SUBJECT : Items Requiring Attention

DATE : 12 June 1989

At the request of Alderman V.J. Agro, Chairman, Legislation Committee the following items are hereby tabled for the Committee's attention.

1. Taxi Industry - review - see attached list of outstanding items
   - Livery Industries - six month freeze. **Taxi Legislation Sub-Committee reviewing items 1, 2, 3 and 10 only of attached memorandum.**

2. Street Vendors Program - review of programme
   First instituted in 1985 in conjunction with the Downtown B.I.A., the program has been only moderately successful with most street vendor locations remaining unused. **Review required by Legislation Committee.**

3. Transient Trader - review pending (flower vendors etc.)
   The automobile service station licensing requirements pertaining to flower sales etc. are unenforceable partially due to the need for an updated by-law and there is the question of what was intended to be sold at these locations. There still remains an enforcement problem dealing with City/Regional road allowances. **Review pending.**

4. Bingo - regionalization - report
   This was one of the recommendations which came out of a report which the Committee has adopted respecting major changes in the Bingo Lottery Industry. **Ongoing review by Licence Committee.**

5. Licence By-law general fees - report
   During consideration of the Departmental budget the Committee asked for a full report respecting general licence fees with a view to cost recovery. **Review required by Legislation Committee, taxi licence fees pending.**

6. Places of Amusement/Carnival Licence By-law - report
   A continual source of citizen/business complaint particularly concerning those establishments in the downtown core. The by-law requires updating and must address enforcement concerns. **Review required (which committee?)**

7. Smoking Rooms/Air Quality Report, Workplace Legislation - status report
   The proposed legislation is before the Provincial Legislature. The Committee has asked for an air quality report on City Hall and policies respecting staff smoking/non-smoking facilities are still under review. **Ongoing review by Legislation Committee.**

8. Licence By-law consolidation - report

Many of the Licensing By-law Schedules were drafted 20 to 30 years ago, and have been amended countless times making for a cumbersome, vague, and confusing by-law. **Review required (which committee?)**

9. Restaurant/Public Halls - report

These by-law regulations require major revision and industry input respecting hours of operation, the prohibition against dancing and antiquated requirements (i.e. chaperons). **Review required (which committee?)**

10. Building Exterior Cleaners - review in progress

The Committee has already held discussions with the Industry. The Ministry of the Environment has expressed some concerns and the Building and Licensing Departments have enforcement concerns. **Public meeting held under Legislation Committee. Report to follow.**

11. Foodstuff Regulations - report

Due to changes in the Health Promotion and Protection Act, facilities previously not required to hold licences are now required to do so. There are implications to drug stores and retail businesses. **Review required (which committee?)**

12. Advertising material/handbill report - review in progress

There continues to be problems with bill distributors leaving literature in unsuitable locations and there are also complaints about persons cutting across lawns etc. **Review required (which committee?)**

13. Hawkers and Pedlars By-law - review

This By-law should be tied in with any discussions when dealing with transient traders as the two industries can operate in a similar fashion. **Review required (which committee?)**

14. Second Hand Shops/Pawnbrokers - update and review

The Licence Committee met previously with the industry and major revision to the two By-laws is necessary, particularly with respect to the time retention of goods requirement/identification aspects. **Former Licence Committee held Public meeting. Report required.**

15. Roller Skating/Bowling Alleys

The hours of operation have been questioned by members of the industry and a report with industry involvement is recommended. The present hours provide for opening to 1:00 A.M., however, Saturdays and Sundays they must be closed at 11:45 P.M. and 11:00 P.M. respectively. **Review required (which committee?)**

16. Automobile Service Stations/Public Garages - report
The By-law requires revision particularly in light of the legal report respecting transient traders. **Review pending.**

SJD/be

c.c. Alderman D. Christopherson

MEMORANDUM • CITY OF HAMILTON

TO	: John Thompson, Secretary Legislation Committee	YOUR FILE:	
FROM	: S. J. Dembe, Manager Licence Division	OUR FILE :	-
SUBJECT	: Taxi Industry Concerns	DATE	: 22 February 1989

The following is a brief outline of the majority of the issues and concerns which the taxicab industry representatives and City staff have identified. Items 1-10 are considered to be matters of higher priority than those which follow.

1. Taxicab Priority List

Most members of the taxicab industry feel that the process for the selection of persons to receive taxi owner's licences from the City's priority list requires major revision. The current by-law specifies that persons who reach the top of the list must prove that they have been associated with the taxi industry full-time as a driver, owner or dispatcher for the immediate two years prior to the Licence Committee considering their application. The main issue of concern is the proof (T-4 slip/income tax return) which is required to show active involvement in the industry and the length of time one must work in the industry once that person reaches the top of the list. Another issue of concern put forth by the industry is that a person who receives a taxicab plate should actively work the plate and not be permitted to lease it. Members of the industry are also proposing an initial fee, as well as, an annual fee in order to maintain one's name on the list. The cost to the City in updating and maintaining the current list is prohibitive.

2. Livery Vehicles

Before 1985, there were relatively few livery (unmetered taxi) vehicles working in the traditional taxicab industry. Largely due to the demands by the various local school boards and its special educational programs, there have been greater demands put on the taxi industry to provide transportation for school children. Presently there are approximately 80 livery vehicles involved in the taxi industry. Also, some individuals are not using their livery plate but holding the licence in the anticipation that the numbers will be permanently capped; thus increasing the value of this plate in the open market. Due to restrictions placed in the livery by-law in 1988, they may now only transport passengers (previously liveries were also permitted to deliver parcels/liquor etc.). In order that the Legislation Committee may deal with this matter, there is presently a 6 month freeze on the issuance of livery plates which expires July 31st, 1989.

3. Issuance of Additional Taxi Plates

At this time, there is no consensus as to whether or not the City requires additional taxicabs. Within the last two years, the City has issued approximately 57 taxicab licences. Nevertheless, there continues to be a problem with obtaining a cab late at night, on weekends and at peak periods during the day. At other times, many taxis sit idle. This problem is common in most large municipalities.

Our Department has not received any complaints that these 57 taxis have had a detrimental effect on the taxicab industry. The public is definitely being better served with the additional taxis. It appears that the upswing in the economy has brought prosperity to the industry; however, should a down turn occur, there is potential for concern. In our opinion, one cannot adequately assess the need for additional taxis without having firstly addressed the livery vehicle question.

4. Taxi Driver Safety

Safety is a major concern particularly to those taxicab drivers working during the evening hours. There appears to be an increase in the number of violent incidents against taxi drivers in the City of Hamilton. The taxicab industry and City staff will be proposing a number of solutions to this problem. For example, it has been suggested that flashing roof signs be installed which would indicate emergency assistance is needed by a driver. Also, the Police have been involved in conducting a safety seminar for taxicab drivers.

5. Downtown Parking

Recommendations have been put forward by Licencing/Traffic Department Staff which would have the effect of providing limited on-street parking in the downtown core for taxicabs. The public would be better served and the taxi industry enhanced as a result of this proposal. Visibility is extremely important if the industry is to compete with other transportation services and enhance tourism in the City of Hamilton.

6. Insurance

Insurance is the single largest operating expense for owners of taxicabs. The City has already contacted the Insurance Industry to request a reduction in insurance rates. There has been no response to date. To reduce insurance costs, the industry has taken steps to hire and maintain better drivers which have reduced accidents and insurance claims. The City has also increased its regulations and is strictly screening taxicab drivers before issuing taxicab licences. A new taxicab driver educational program emphasizing safety will commence shortly. It would appear that lower insurance rates are justified.

7. Dress Code

The former Taxicab Task Force made the dress code a priority. Although marginal improvement has been made, the industry and the City still require further dialogue towards improving the taxi drivers' image.

8. Infringement of Jurisdiction

The problem of taxicab jurisdiction arises from the close proximity of the City of Stoney Creek and the Town of Dundas to the City of Hamilton. Although there have been breaches of the City's by-law in the past which have resulted in several convictions in By-law Court, the number of jurisdictional complaints have increased recently. Taxicabs licenced in Stoney Creek and Dundas are now operating more frequently in Hamilton to the detriment of our taxis. Conversely, we are aware that some Hamilton taxicabs operate in Dundas and Stoney Creek. Increased enforcement would be one solution; however, our resources are limited. Because the two major taxicab operators in Dundas and Stoney Creek are owned by two of the three major taxi businesses in the City of Hamilton, dispatching services are tied in to both operations. This can result in abuse.

9. Promotional Schemes

The City's by-law regulates the rates that taxi owners and drivers charge for the conveyance of passengers. Traditionally, fares were discounted if a contract was held with a major facility. Although the taxi industry must be competitive with other transportation services, the by-law prohibits reductions in taxicab fares except for senior citizens. The issue of parcel and mail delivery is not addressed in the by-law but is a concern of many taxi owners and drivers. The by-law also prohibits taxi companies from offering promotional schemes such as coupons. Further discussion is required with the industry on all the above.

10. Leasing

Although taxicab leasing was prohibited by law, it was a common practice in the industry. In 1988, the by-law was amended to permit leasing agreements to be registered with the City. The new system is working satisfactorily, but many members of the industry express concern that this has created some absentee owners. This is a sensitive issue because persons receiving taxi plates from the City's priority list are no longer required to work the cab themselves. Staff underestimated the cost involved in the administration and inspection services required for leasing (present annual leasing fee is $50). Although leasing has resulted in some increase in the availability of taxis during evening hours and weekends, this continues to be a problem and must be re-assessed. Further dialogue with the industry is required.

The following items are either in the implementation stage or require priorization. Discussion with the taxi industry may point out which areas should be dealt with first.

11. Taxicab Advertising: There are at least two companies proposing to enter into the taxicab market with advertising proposals.

12. Taxi Fare Increase: The industry has requested a review of the present taxi fare structure and is in the process of providing City staff with operational costs to justify an increase. The date of implementation of the fare increase is important for public acceptance.

13. Residential Identification: The creation of a directory for townhouses etc. would assist the industry/public and would shorten response time for many trips.

14. Hamilton Airport: There is considerable interest from Hamilton's taxi industry in providing ground transportation service to the airport. The Township of Glanbrook now have a by-law which requires the licencing of taxis and liveries operating within their jurisdiction. At present, Glanbrook's by-law does not restrict the numbers of these vehicles and as a result, this may impact on Hamilton's industry. It also appears that this may be a Regional issue.

15. Bus Terminal: At peak times, the taxi industry cannot service the terminal. This is due to the unavailability of on-street parking for taxicabs and the fact that the bus terminal has contracted with one of the taxi companies to provide service. A similar situation may occur with the future GO train terminal. We believe the City's first obligation is to provide adequate service to its citizens.

16. Quarterly Newsletter - Industry/City Dialogue

17. Taxi Driver/Owner Annual Recognition

18. Future of Taxi Task Force (Advisory Committee?)

19. Regionalization

20. Taxi Memorabilia/Museum

21. LLBO Delivery

22. Education Program Update - Safety Aspects

23. Taxi By-law Revision and Consolidation

24. Status of Set Fines - Provincial Offenses Act

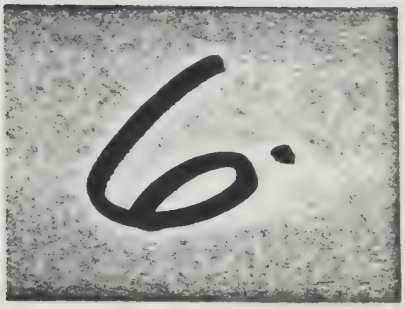
24. Taxi Office Addition - Progress Report

City Council has set a 90 day limitation (April 30/89) to conduct and complete a general public review of licencing By-law 79-323 (as amended) respecting taxicabs, including but not limited to, issues pertaining the taxicab priority list and the setting of a new administration fee to place one's name on the priority list. We are of the view that this item, along with one or two of the first items in this memo, will take the remaining time which the Committee has to report back to City Council.

Staff will prepare a full report for your Committee on all matters which you wish discussed before April 30, 1989. The remaining items can be reported on as your Committee wishes to deal with them.

SJD/be

cc: Alderman V.J. Agro
Alderman G. Copps
Alderman D. Drury



FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: E. A. Simpson
City Clerk

DATE: 1989 June 12
COMM FILE:
DEPT FILE:

SUBJECT:

St. Mary's Portuguese Church - Special Occasion Permit.

RECOMMENDATION:

"That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to the St. Mary's Portuguese Church on the occasion of their annual festivals in honour of "Our Lady of the Angels" 1989 August 11 to August 13 and in honour of Santa Cecicilia 1989 August 19 and August 20 outside at St. Mary's School playground and at Sts. Cyryl and Methodius Church Parking lot."

Conditional upon the following:

"That musical entertainment be discontinued at 11:00 o'clock p.m."

John Thompson
E. A. Simpson

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

As in past years, it is recommended that the request of St. Mary's Portuguese Church be approved.

7(a)

FOR ACTION

REPORT TO: Mr. J. Thompson, Secretary
Legislation Committee

FROM: Miss C. Coutts, Secretary
Hamilton Veterans' Committee

DATE: 1989 May 15
COMM FILE:
DEPT FILE:

SUBJECT: ***CANADIAN POLISH CONGRESS TO USE CITY HALL FORECOURT - 1989 SEPTEMBER 2 PARADE***

RECOMMENDATION:

That the Canadian Polish Congress be permitted to form up a parade in the City Hall Forecourt on Sunday, 1989 September 3 at 1:30 o'clock p.m.

CCoutts

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

The Canadian Polish Congress has requested use of the City Hall Forecourt to form up a parade of approximately 100 - 200 persons. The parade will form up at 1:30 o'clock p.m. on Sunday, 1989 September 3 and will move off at approximately 1:45 o'clock p.m. in a parade to the Cenotaph in Gore Park.

This parade was intended to leave the Hamilton Armouries but were unable to form up at the Armouries as another Veterans organization is using the facilities at that time.

Polish Veterans are parading for the 50th Anniversary of the Declaration of War by Great Britain and France and they will pay tribute to their comrades who fell in the defence of freedom and independence.

CC/mec

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 June 9
COMM FILE:
DEPT FILE:

SUBJECT:

Canadian Labour Congress (C.L.C.) Flag

RECOMMENDATION:

That the request of the Hamilton and District Labour Council for permission to fly the C.L.C. flag at City Hall from Labour Day, Monday, 1989 September 04 to 1989 September 09, be approved.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

7(c)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: Mr. E. A. Simpson
City Clerk

DATE: 1989 June 9
COMM FILE:
DEPT FILE:

SUBJECT:

Theatre Aquarius - Display

RECOMMENDATION:

That permission be granted to the request of Theatre Aquarius to display a model of their new theatre facility on the second floor of City Hall during the month of November 1989 to coincide with the public launch of the Capital Campaign to raise private sector funds towards the new building.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

7(a)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: Mr. E. A. Simpson
City Clerk

DATE: 1989 June 9
COMM FILE:
DEPT FILE:

SUBJECT:

Use of City Hall Forecourt -
The Royal Scottish Country Dance Society

RECOMMENDATION:

That the Hamilton Branch of the Royal Scottish Country Dance Society be granted permission to use the City Hall Forecourt on Saturday, 1989 August 05 to demonstrate Scottish Country Dancing.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

8.

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: Mr. E. A. Simpson
City Clerk

DATE: 1989 June 12
COMM FILE:
DEPT FILE:

SUBJECT:

Staff Advisory Team

RECOMMENDATION:

(a) That the request of the Staff Advisory Team for funds in the total amount of $300 to be used to assist in publishing their newsletter called "Outlook", be approved.

(b) That this amount be funded from within Account No. CH56302 12001, Advertising and Publicity, City Clerks.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

See Above

BACKGROUND:

Attached for the Committee's information is correspondence from the Staff Advisory Team explaining the need for funding.

Attachment

Staff Advisory Team

'WORKING FOR YOU'

CORPORATION
CITY OF HAMILTON

1989 May 10

Mr. John Thompson, Secretary
Legislation Committee

RE: Staff Advisory Team - Request for Funds

Dear John:

As you may be aware, the Staff Advisory Team, publishes a newsletter called "Outlook", every Spring, Summer, Fall and Winter. Over the past year, we have experienced great difficulty in producing this newsletter, due to a lack of funds.

I have enclosed, a copy of a letter I received from Ms. Gail Nolan, Chairperson of the Newsletter Sub-Committee, outlining the needs of the Committee in order to produce this newsletter.

We are requesting $300.00 a year which would allow for a one year subscription to "Pages", an editorial and filler service that has been of great value in the preparation of the newsletter. As well, this money will also enable us to buy different software packages to assist with the "desk top" publishing.

I would very much appreciate this item being considered at the next meeting of the Legislation Committee. Please advise if more information is required.

Thank you kindly for your assistance.

Yours very truly,

Crystabelle Buchackert

Crystabelle Buchackert, Chairperson
Staff Advisory Team

/encl.

cc: Mr. Lou Sage
Chief Administrative Officer

Corporation of the City of Hamilton

Memorandum

****

TO: CHRYS BUCHACKERT, CHAIRPERSON
Staff Advisory Team

FROM: GAIL NOLAN, CHAIRPERSON
Newsletter Sub-Committee PHONE: (416)526-2724

SUBJECT: **Budget for newsletter - OUTLOOK** DATE: 1989 May 2

Further to our meeting of February 15, 1989 regarding the submission of a list of expenses for publishing the newsletter, please be advised as follows.

1 Year Subscription to "PAGES" $160.00

"Pages" is a comprehensive editorial and filler service and it has been of great value to us in preparing our newsletter. It includes articles on business, safety, personal finance, health and fitness, personal development and just plain, old fashioned general interest. It also includes various puzzles, pictures and clip art that may also be used in our publication.

It is not always easy to get staff to submit articles for Outlook and certainly not enough to fill an entire newsletter. This is where "Pages" has been a valuable filler service. Please be advised that our current subscription to "Pages" has now run out. Copy of invoice is attached.

There was also some discussion regarding the purchasing of a software package to assist us in our "desk top" publishing. There are a number of graphic packages available all with different capabilities and all at various prices. Most of these packages are upwards of $70.00.

As you know, our Wordperfect system is being converted from 4.2 to 5.0 and the new 5.0 package has some graphic capabilities. I would suggest that we not buy a separate software package at this time but use the graphics now available on Wordperfect, to see how they work, maybe with a view to purchasing a separate package at a later date.

Gail Nolan.

BERRY PUBLISHING

300 N. STATE ST.

CHICAGO, IL 60610

PRO FORMA

INVOICE NO.

ORDER NO.		INVOICE DATE	
DATE SHIPPED		SHIPPED VIA	
NO. PCS.	WT.	FOB	TERMS

SHIPPED TO

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
12	iss.	PAGES Comprehensive Editorial & Filler Service	13.33 pr. ed.	$160.00
		This is a pro-forma invoice. If you wish to continue your subscription to PAGES you may do so using this pro-forma invoice, calling in your order (312) 222-9245 or supplying us with a P.O. number. Thank you for your business - we hope to see you as a resubscriber!		
		Health & Fitness Clip Art Book - free if payment reaches us before May 1, 1989.		

DURL FORM IT 87 DISTRIBUTED BY DURL CORPORATION • 100 S. SCHELTER ROAD • LINCOLNSHIRE, ILLINOIS 60069

FOR ACTION

9(a)

REPORT TO: Chairman and Members
Legislation Committee

FROM: Mr. E. A. Simpson
City Clerk

DATE: 1989 June 12
COMM FILE:
DEPT FILE:

SUBJECT:

Resolution from the Township of South Crosby

RECOMMENDATION:

That the attached resolution from the Township of South Crosby petitioning the Provincial Government to increase funds for the Unconditional Grant Program for 1989, be endorsed.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

Endorsement of this resolution is consistent with the Council's decision to endorse similar resolutions received from other municipalities.

Attachment

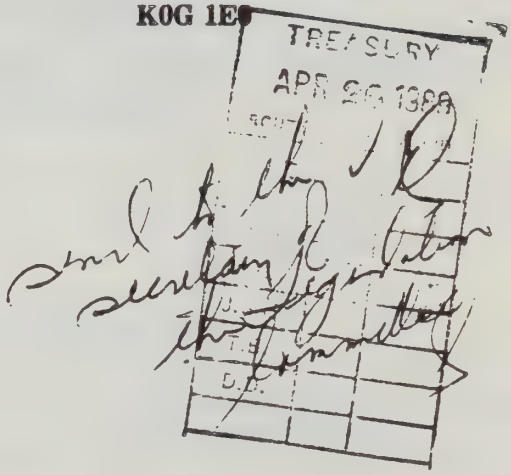
The Township of South Crosby

APR 2 6 1989

REEVE- C.R. SMITH
CLERK TREASURER - M. STEARRY

R.R. 1, ELGIN, ONTARIO
K0G 1E0

613-359-5830



April 4, 1989

Moved By: Wayne Sly
Seconded By: Linda Carr

To pass a Resolution that:

Whereas Municipalities are limited in their ability to raise funds to support the increasing number of Provincial responsibilities that have to be provided in whole or in part by property taxpayers;

And Whereas there has been no increases in the unconditional grants paid to Municipalities in 1989;

Therefore be it resolved that the Township of South Crosby petition the Government of the Province of Ontario to increase funds by 5% for the Unconditional Grant Program for 1989;

And further be it resolved that the Province of Ontario explore new sources of funding for Municipalities;

And that copies of this Resolution be forwarded to the Premier of the Province of Ontario and the Association of Municipalities of Ontario.

Signed: C. Robert Smith
Reeve

I, Myrna Stearry, A.M.C.T. Clerk-Treasurer of the Township of South Crosby to hereby certify that the above is a true copy of a Resolution passed at open Council meeting on Monday, April 3, 1989.

Myrna Stearry

Myrna Stearry, A.M.C.T.
Clerk-Treasurer

City of Guelph

CITY HALL, 59 Carden Street
Guelph, Ontario, Canada N1H 3A1

OFFICE OF CITY C
Telephone (519) 83
FAX Number (519)

96

May 15, 1989

MAY 23 1989

CITY CLERKS

TO: CLERKS OF ALL
ONTARIO MUNICIPALITIES

At the April 17th, 1989 meeting of Guelph City Council, the following resolution was adopted:

"**THAT** Mr. J.V. Raymond Cyr, President and Chief Executive Officer, Bell Canada Enterprises Inc., be requested to initiate a program to develop telephone directories which can be readily recycled; and that such initiative be developed in conjunction with the appropriate representatives of Provincial and Municipal recycling programs and of those industries directly involved in the processing and marketing of used paper fibre;

"**AND THAT** this resolution be circulated to all municipalities in the Province of Ontario with a request that the resolution be endorsed and that such endorsement be forwarded to Bell Canada Enterprises Inc. at Executive Offices, 2000 McGill College Avenue, Suite 2100, Montreal, Quebec, H3A 3H7, with a copy of such endorsement being returned to the City Clerk of the City of Guelph;

"**AND THAT** a copy of this resolution be forwarded for information to:

- Hon. Lucien Bouchard, Federal Minister of the Environment,
- Hon. Jim Bradley, Ontario Minister of the Environment,
- Hon. Bill Winegard, Federal Minister of State (Science and Technology)
- Mr. Rick Ferraro, M.P.P., Guelph,
- Secretary General, Canadian Radio-Television and Telecommunications Commission.
- Association of Municipalities of Ontario

Since the disposal of telephone directories impacts on each and every municipality in Ontario, it is vital that Bell Canada take immediate steps to initiate a program to develop telephone directories which can be readily recycled.

It would be appreciated if you would submit this resolution to your Council for endorsement and support.

Yours truly,

Lois A. Giles,
City Clerk.

LG

CA4 ON HBL A05
C51L2
1989

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 July 13

NOTICE OF MEETING

URBAN MUNICIPAL
JUL 17 1989
GOVEPNMENT DOCUMENTS

Legislation Committee
Monday, 1989 July 17
9:30 o'clock a.m.
Room 233, City Hall

John Thompson, Secretary
Legislation Committee

JT:mjw

AGENDA

A. DELEGATIONS

9:30 o'clock a.m. - MR. DON STREET
Integrity of the Process for Committee Selection

10:00 o'clock a.m. - TAXI INDUSTRY
Report of the Taxicab Legislation Review Committee

1. Approval of the Minutes of the Meeting of the Legislation Committee held 1989 June 19.

2. BINGO LOTTERIES - TIME PERIODS
Referred Back by City Council at its Meeting Held 1989 June 27 for Further Review

3. RESOLUTION OF ALDERMAN H. MERLING REGARDING POP CANS

Referred to the Legislation Committee by City Council at its Meeting held 1989 June 27 for Consideration and Recommendation

4. WESTERN CANADA MARDI GRAS CONVENTION

Hamilton, Ontario, 1990 February 02 to February 04, Alderman D. Ross

5. LICENCING COMMITTEE

Review of the By-law Governing the Prohibition and Regulation of Fireworks

6. CIVIC LUNCHEON

For the Lord Provost of Glasgow, Scotland

7. RESOLUTIONS

(a) Canadian Brotherhood of Railway, Transportation and General Workers

Via Rail

(b) Town of Oakville

Road Cuts and Urban Streets

(c) City of Toronto

Amendment to the Municipal Act Regarding:
Use of Certified Copies of Municipal By-law Consolidation

8. USE OF CITY HALL FACILITIES

(a) Hamilton Tai Chi Association

(b) Children's International Learning Centre

9. HAMILTON AND DISTRICT LABOUR COUNCIL

Request for Reviewing Stand - Annual Labour Day Parade

10. REQUEST TO USE THE NAME "HAMILTON"
IN PROPOSED INCORPORATION OF A CORPORATION

11. REPORT ON FCM CONFERENCE, 1989 JUNE 9 TO JUNE 12
VANCOUVER, BRITISH COLUMBIA
SUBMITTED BY ALDERMAN BRIAN HINKLEY

12. NEW BUSINESS

13. ADJOURNMENT

OUTSTANDING ITEMS
LEGISLATION COMMITTEE

	ITEM	ORIGINAL DATE	ACTION	STATUS
1.	Review Civic Award Policy and Regulations	1988 December 05	Legislation Committee	Report to Follow
2.	Policy for Special and Public Meetings	1989 January 23	Staff	Report to Follow
3.	Policy for Use of Council Chambers	1989 January 23	Staff	Report to Follow
4.	Police Report on Licencing Function	1989 January 23	Regional Police	Report Pending
5.	General Public Review of Licencing By-law No. 79-323 Re Taxis and Livery Vehicles	1989 January 23	Taxi-cab Legislation Review Sub-Committee	Review Proceeding Public Meeting 1989 April 24
6.	Street Vendors Permit South West Corner King and James Streets	1989 April 13	Manager, Licencing Division	Report Pending
7.	Per Diem Rate	1989 April 13	Treasurer	Report Pending
8.	Gun Shop Operations	1989 June 19	Planning and Development Committee	Review Proceeding
9.	Licencing Tobacco Outlets	1989 June 19	Staff	Reports Pending
10.	Transient Flower Vendors	1989 June 19	Manager, Licencing Division	Report Pending
11.	Handbill Distributors	1989 June 19	Sub-Committee	Report Pending
12.	Election Procedures	1989 June 19	City Clerk	Report Pending

CITY COUNCIL
HAMILTON, CANADA

Alderman Vince Agro
Chairman — Legislation
Committee

71 MAIN STREET WEST L8N 3T4 • (416) 526-2733 • RES. (416) 528-2009 — WARD 2

9:30

May 4. 1989

Mr. J. Thompson, Secretary
Legislation Committee

Dear Mr. Thompson:

Attached are copies of letters I received from Mr. Don Street requesting an opportunity to appear before the Committee re: Integrity of the Process for Committee Selection.

Could you please address this issue and make the necessary arrangements for Mr. Street to appear before the Legislation Committee.

Thank you for your cooperation in this matter.

Sincerely,

Vince Agro

Vince Agro, Chairman
Legislation Committee

VJA:sn

Attch. 2

c.c. Mr. D. Street, 35 Capilano Drive, Hamilton, L8K 6A6

03/28

March 20, 1989

Alderman Vince Agro
Chairman
Legislation Committee

Dear Alderman:

Further to my letter dated February 6th, 1989, re Integrity of the Process for Committee Selection.

Additionally, I feel there is a conflict of interest occurring when an employee of the city also appears as a member of these committees. This practice is dangerous, and does not serve the best interests of our citizens.

As well as the fear of the growth of nepotism and patronage, I feel there are citizens who are being ignored and discriminated against because of their vocal opposition to some Aldermen during the civic elections. There are citizens who have repeatedly been denied the opportunity to serve the community because of their refusal to "tow the line" so to speak, and patronize elected officials.

I would welcome the opportunity to address this issue in committee, if ample notification could be provided.

Yours truly,

Don Street

DS:mt

cc Robert Morrow
John Thompson
Gerry Nott

FEB 1989

He wants to Talk to me about this!

February 6, 1989

Alderman Vince Agro
Chairman
Legislation Committee

Dear Alderman:

This letter concerns the integrity of the process for Committee Selection, and the growth of patronage appointments for these committees, including staff.

The recent resignations and early retirements by various directors, managers, and other staff, I suspect are results of interference by individuals on these committees and Aldermen who feel they become experts on all matters once they are elected to office.

We seem to have more than our share of pompous, arrogant, and narrow-minded people in these positions. I shudder to think of what this city has lost due to these people.

The present system of selection (Committees and Staff Appointments) is a breeding ground for nepotism, patronage and Aldermanic Power Pyramid Building. I am not naive enough to think patronage will be eliminated. My goal is to keep it in check, and install safeguards to achieve this end.

The most recent and notable problem is the Parks & Recreation Citizens Advisory Committee - 80% of this Committee are appearing for second, third and more terms. There is also one member who holds a permit for a concession allocated by the Department for which Committee he sits. I am not suggesting any wrong-doing, but it does present the inference of conflict of interest.

It is necessary, for the protection of the citizens in our Community, to design a new system to safeguard against these injustices.

Respectfully,

Don Street

DS:mt
c Robert Morrow
Gerry Nott

P.S. To answer the obvious question, I am not a disgruntled person who was rejected for an appointment.

10.00

REPORT

OF THE

TAXICAB REVIEW COMMITTEE

July 17, 1989

RECOMMENDATIONS OF THE TAXICAB REVIEW COMMITTEE

TO

THE LEGISLATION COMMITTEE

RECOMMENDATIONS RESPECTING THE TAXICAB PRIORITY LIST

1. THAT THE EXISTING PRIORITY LIST BE CONTINUED AND A YEARLY RENEWAL FEE OF $50.00 BE ESTABLISHED TO MAINTAIN AN APPLICANT'S NAME ON THE PRIORITY LIST.

   THIS ANNUAL RENEWAL AND FEE MUST BE COMPLETED BY SEPTEMBER 30TH OF THE CURRENT YEAR. FAILURE TO MEET THESE REQUIREMENTS WILL RESULT IN THE APPLICANT'S NAME BEING REMOVED FROM THE PRIORITY LIST. THE ACCEPTANCE OF AN APPLICATION AND/OR RENEWAL ALONG WITH THE $50.00 FEE HOLDS A POSITION ON THE PRIORITY LIST ONLY AND SHALL NOT BE CONSIDERED A GUARANTEE TO AN APPLICANT THAT HE/SHE WILL AUTOMATICALLY RECEIVE A TAXICAB OWNER'S LICENCE ONCE THE NAME REACHES THE TOP OF THE LIST. THE ACCEPTANCE OF AN APPLICATION AND/OR PAYMENT OF THE $50.00 FEE IS ON THE CONDITION THAT THE APPLICANT HAS NEVER PREVIOUSLY RECEIVED A TAXICAB OWNER'S LICENCE FROM THE CITY OF HAMILTON'S PRIORITY LIST AND THAT THE APPLICANT OTHERWISE COMPLIES WITH ALL OTHER RELEVANT SECTIONS OF THE BY-LAW.

2. (A) THAT AN APPLICANT FOR A TAXICAB OWNER'S PLATE MUST BE PRESENTLY AND ACTIVELY ENGAGED FULL TIME (DEFINED AS 24 HOURS - TWO SHIFTS WEEKLY) IN THE CITY OF HAMILTON'S TAXI INDUSTRY. AN APPLICANT IS DEFINED AS A LICENSED TAXICAB DRIVER, TAXICAB OWNER, TAXICAB DISPATCHER AND TAXICAB TELEPHONE SERVICE OPERATOR FOR A MINIMUM ONE (1) YEAR PRIOR TO BEING ABLE TO BE PLACED ON THE PRIORITY LIST.

   VERIFICATION TO BE MADE BY INCOME TAX RETURN AND AN AFFIDAVIT FROM THE TAXICAB OWNER/BROKER AS THE CASE MAY BE. INPUT WILL BE REQUIRED FROM THE TAXI INDUSTRY TO STRIKE A FORMULA TO BE APPLIED IN DETERMINING THE AVERAGE INCOME (BASED ON 24 HOURS X 50 WEEKS = INCOME PER YEAR OF A DRIVER, OWNER, DISPATCHER AND TELEPHONE SERVICE OPERATOR). THE FORMULA WILL INCLUDE A FACTOR FOR INFLATIONARY ADJUSTMENTS (THE FORMULA CAN BE ADJUSTED YEARLY OR AS REQUIRED).

...continued

(B) THAT AS AN ALTERNATIVE TO THE INCOME TAX REQUIREMENT IN 2(A), VERIFICATION OF INVOLVEMENT IN THE TAXI INDUSTRY COULD BE PROVIDED BY AN APPLICANT, AS DEFINED IN 2A, WHO SUBMITTED A CERTIFIED COPY OF A RECORD OF EMPLOYMENT AND/OR UNEMPLOYMENT INSURANCE COMMISSION STATEMENTS OF INSURABLE EARNINGS AND/OR CANADA PENSION PLAN CONTRIBUTIONS STATEMENT.

THE AFOREMENTIONED WOULD BE TIED TO THE DEFINITION OF "FULL TIME" (I.E. 24 HOURS PER WEEK - SEE 2A).

3. (A) THAT AT THE TIME AN APPLICANT FOR A TAXI OWNER'S LICENCE REACHES THE TOP OF THE PRIORITY LIST, BEFORE ISSUANCE, THE APPLICANT MUST SUBMIT CERTIFIED COPIES OF INCOME TAX RETURNS,RECORD OF EMPLOYMENT ETC., AS SET OUT IN 2A AND 2B FOR THE IMMEDIATELY PRECEDING 2 CONSECUTIVE CALENDAR YEARS AS A FULL TIME DRIVER, OWNER, DISPATCHER OR TELEPHONE SERVICE OPERATOR IN THE CITY OF HAMILTON'S TAXI INDUSTRY.

VERIFICATION TO INCLUDE REQUIREMENTS IN 3A AND AN AFFIDAVIT FROM TAXICAB BROKER/OWNER. DOLLAR EARNINGS TO BE DETERMINED BY INCOME FORMULA AS OUTLINED IN (2) ABOVE.

(B) THAT PROVISION BE MADE IN THE LICENSING BY-LAW TO COVER A SITUATION WHERE AN APPLICANT WAS MEDICALLY UNABLE TO COMPLY WITH THE REQUIREMENTS IN 3 (A). AN APPLICANT FOR A TAXICAB OWNER'S LICENCE FROM THE PRIORITY LIST WHOSE NAME REACHES THE TOP OF THE LIST, WILL BE REQUIRED TO COMPLY WITH THE REQUIREMENTS IN 3 (A) FOR THE TWO IMMEDIATELY CONSECUTIVE YEARS PRECEDING THE MEDICAL DISABILITY. AT THE TIME OF CONSIDERATION BY THE CITY OF HAMILTON LICENSING COMMITTEE, AN APPLICANT WILL BE REQUIRED TO SUBMIT PROOF OF MEDICAL DISABILITY FROM TWO MEDICAL DOCTORS OF HIS CHOICE. THE APPLICANT WILL ALSO BE REQUIRED TO SUBMIT TO A MEDICAL EXAMINATION BY A MEDICAL DOCTOR SELECTED BY THE CITY OF HAMILTON LICENSING COMMITTEE THROUGH THE HUMAN RESOURCES DEPARTMENT.

4. THAT AN APPLICANT CAN RECEIVE ONLY ONE TAXI OWNER'S LICENCE FROM THE PRIORITY LIST. ALL PERSONS ON THE CURRENT PRIORITY LIST WILL BE EXEMPTED FROM THIS REQUIREMENT. THE CURRENT TAXI PRIORITY LIST ENDED AT APPLICANT, GEORGE HUTCHINSON. THE CURRENT TAXI PRIORITY LIST IS DATED DECEMBER 15, 1988. THIS REQUIREMENT TO TAKE EFFECT ON THE DATE OF ENACTMENT OF THE BY-LAW.

...continued

5. THAT THE FEE FOR A TAXICAB OWNER'S LICENCE FROM THE PRIORITY LIST BE SET AT $3 000.

6. THAT NO NAME APPEAR MORE THAN ONCE ON THE PRIORITY LIST. IF A NAME APPEARS MORE THAN ONCE, ONLY THE NAME IN THE HIGHEST PRIORITY WILL REMAIN ON THE LIST. THIS REQUIREMENT TO TAKE EFFECT ON THE DATE OF ENACTMENT OF THE BY-LAW.

7. THAT THE TAXI OWNER'S LICENCE TRANSFER FEE BE SET AT $1 500. THIS REQUIREMENT TO TAKE EFFECT ON THE DATE OF ENACTMENT OF THE BY-LAW.

8. THAT ANNUAL RENEWAL OF A TAXICAB OWNER LICENCE FEE BE SET AT $175. THIS REQUIREMENT TO TAKE EFFECT ON JANUARY 1, 1990.

9. THAT A NOTICE WILL BE SENT BY REGISTERED MAIL TO EVERY APPLICANT ON THE PRIORITY LIST NOTIFYING THEM OF ANY CHANGES TO THE EXISTING REGULATIONS GOVERNING THE PRIORITY LIST.

10. THAT THE LICENCE COMMITTEE BE REQUIRED TO PUBLISH IN THE LOCAL NEWSPAPER AND POST AT THE VARIOUS TAXI COMPANIES A "PUBLIC NOTICE OF INTENT" THAT THE CITY WILL BE ISSUING ADDITIONAL TAXI OWNER'S LICENCES AND INCLUDE A LIST OF THE APPLICANTS TO BE CONSIDERED.

THE LICENCE COMMITTEE WILL BE ASKED TO CONSIDER APPEALS REGARDING THE QUALIFICATIONS OF APPLICANTS FOR A TAXI OWNER'S LICENCE FROM THE PRIORITY LIST.

11. THAT, IN ORDER TO ENSURE PUNCTUALITY AND EFFICIENCY IN SERVICING SCHOOL TRIPS, TAXICAB SCHEDULE 4 OF BY-LAW 79-323 BE AMENDED SO AS TO PROHIBIT THE FOLLOWING:

(A) A TAXICAB BROKER DISPATCHING A CALL WITHIN 30 MINUTES OF A SCHOOL TRIP TO A TAXICAB OWNER OR TAXICAB DRIVER;

(B) A TAXICAB OWNER ENGAGING A FARE WITHIN 30 MINUTES OF A SCHOOL TRIP;

(C) A TAXICAB DRIVER ENGAGING A FARE WITHIN 30 MINUTES OF A SCHOOL TRIP;

(D) A TAXICAB LESSEE ENGAGING A FARE WITHIN 30 MINUTES OF A SCHOOL TRIP.

...continued

RECOMMENDATIONS RESPECTING LIVERY LICENCES

1. THAT THE LIVERY VEHICLE BY-LAW BE AMENDED SO THAT LIMOUSINE SERVICES, TRANSPORTATION FOR THE DISABLED, AND SCHOOL TRANSPORTATION EACH BE REQUIRED TO OBTAIN A SEPARATE CLASS OF LIVERY VEHICLE LICENCE.

(A) THE FOLLOWING CLASSES WILL BE CREATED:

CLASS A (LIMOUSINE SERVICES): THE CITY OF HAMILTON WILL SET THE MINIMUM RATE OF FARE OR CHARGE AT $____ PER HOUR.

CLASS B (TRANSPORTATION FOR THE DISABLED): THE BY-LAW WOULD REQUIRE THIS SERVICE TO BE TIED TO THE DARTS CONTRACT.

2. THAT A SPECIAL CLASS OF LIVERY LICENCE BE CREATED FOR THE PURPOSE OF PROVIDING SCHOOL TRANSPORTATION. THIS SPECIAL CLASS OF LIVERY WILL BE PHASED OUT ON JULY 1, 1990.

(A) CLASS C (SCHOOL TRANSPORTATION): A PROVISION WILL BE PLACED IN THE BY-LAW FOR THE REPEALING OF THIS CLASS OF LICENCE ON JULY 1, 1990.

(B) THAT THE LICENCE FEE FOR CLASS A, B AND C LIVERIES BE SET AT $175.00.

(C) THAT LIVERY BY-LAW SCHEDULE 4A BE AMENDED SO AS TO PROHIBIT THE FOLLOWING:

(a) A LIVERY VEHICLE OWNER (CLASS A AND C) ENGAGING A FARE DISPATCHED FROM A TAXICAB BROKERAGE;

(b) A LIVERY VEHICLE OWNER (CLASS A AND C) ENGAGING A FARE DISPATCHED FROM A TAXICAB OWNER;

(c) A LIVERY VEHICLE DRIVER ENGAGING A FARE IN A CLASS A OR C LIVERY DISPATCHED FROM A TAXICAB BROKERAGE;

(d) A LIVERY VEHICLE DRIVER ENGAGING A FARE IN A CLASS A OR C LIVERY DISPATCHED FROM A TAXICAB OWNER;

(e) A LIVERY VEHICLE DRIVER ENGAGING A FARE IN A CLASS A OR C LIVERY DISPATCHED FROM A TAXICAB DRIVER.

THE ABOVE REQUIREMENTS WILL BE REPEALED RESPECTING CLASS C LIVERIES ON JULY 1, 1990.

...continued

3. THAT UPON ISSUANCE OF A LICENCE IN ANY OF THE ABOVE CLASSES, (A, B OR C), A VEHICLE MUST BE OPERATIONAL AND FUNCTIONING WITHIN 30 DAYS. THIS PROVISION TO BE REPEALED RESPECTING CLASS C VEHICLES ON JULY 1, 1990.

4. THAT ALL CLASSES (A, B AND C) OF LIVERY LICENCE SHALL NOT BE TRANSFERABLE. THIS PROVISION TO BE REPEALED RESPECTING CLASS C VEHICLES ON JULY 1, 1990.

RECOMMENDATIONS RESPECTING THE ISSUANCE OF TAXICAB OWNER'S LICENCES

1. THAT FIFTY FIVE (55) ADDITIONAL TAXICAB OWNER'S LICENCES BE AUTHORIZED FOR ISSUANCE. THIS INCLUDES THE EIGHT (8) LICENCES AUTHORIZED BY CITY COUNCIL FOR ISSUANCE IN 1988. THE FIRST TWENTY FIVE (25) LICENCES TO BE ISSUED ON SEPTEMBER 1 1989, FIFTEEN (15) LICENCES ON DECEMBER 1, 1989 AND FIFTEEN (15) LICENCES SEPTEMBER 1 1990.

THE COMMITTEE IS RECOMMENDING THE ISSUANCE OF THESE 55 NEW TAXICAB OWNER'S LICENCES PARTIALLY IN RESPONSE TO THE PHASING OUT OF CLASS C LIVERIES (SCHOOL TRANSPORTATION) ON JULY 1, 1990.

2. THAT A FULL ANALYSIS BE CARRIED OUT COVERING ALL FACETS OF THE TAXICAB MARKET. THE STUDY WILL INCLUDE TAXICAB INDUSTRY INPUT, PUBLIC INPUT, THE EFFECTS OF POPULATION, COMMERCIAL/INDUSTRIAL GROWTH, IMPACT OF NEIGHBOURING MUNICIPALITIES TAXICABS, THE EFFICIENCY OF THE EXISTING TRANSIT SYSTEM, EXPANSION OF GO TRANSIT, AIRPORT EXPANSION AND ADDITIONAL FACTORS SUCH AS RESPONSE TIME TO CALLS WITHIN THE TAXICAB INDUSTRY AND JURISDICTIONAL INFRINGEMENT WITHIN HAMILTON-WENTWORTH. IT IS RECOMMENDED THAT THIS BE REFERRED TO THE TAXI ADVISORY COMMITTEE REFERRED TO BELOW.

3. THAT THE LEGISLATION COMMITTEE BE ASKED TO STRIKE A TAXI ADVISORY COMMITTEE TO DEAL WITH MATTERS RESPECTING ALL FACETS OF THE TAXI INDUSTRY AND THAT THIS COMMITTEE REPORT DIRECTLY TO THE LEGISLATION COMMITTEE.

4. (A) THAT A SPECIAL STREET INDEX (TOWNHOUSES ETC.) BE CREATED AND PUBLISHED BY THE CITY UTILIZING ASSESSMENT ROLLS ETC.

(B) THAT THE TRANSPORT AND ENVIRONMENT COMMITTEE BE ASKED TO INVESTIGATE THE FEASIBILITY OF ESTABLISHING NUMERICAL RESIDENTIAL IDENTIFICATION ON UTILITY POLES THROUGHOUT THE CITY.

...continued

5. THAT THE TAXICAB INDUSTRY TOGETHER WITH THE CITY AGAIN REQUEST A MEETING WITH THE INSURANCE INDUSTRY TO REQUEST THEM TO CONSIDER REVISION OF THEIR RATES TO BETTER REFLECT HAMILTON'S IMPROVEMENT WITH RESPECT TO INSURANCE CLAIMS.

RECOMMENDATIONS RESPECTING TAXICAB LEASING

1. AGGRESSIVE APPROACH TO THE INSURANCE INDUSTRY TO RECOGNIZE THE INDIVIDUAL LESSEE AS AN "OWNER" OF HIS OWN VEHICLE.

2. THAT THE ADMINISTRATION FEES FOR LIMITED INTEREST AGREEMENTS (TAXICAB LEASING) BE SET AT: INITIAL AGREEMENT $50 SAME CAR
RENEWAL AGREEMENT $50 SAME CAR
INITIAL AGREEMENT $175 ADDITIONAL CAR
RENEWAL AGREEMENT $175 ADDITIONAL CAR

Monday, 1989 June 19
9:30 o'clock a.m.
Room 233, City Hall

The Legislation Committee met.

There were present: Alderman V. J. Agro, Chairman
Alderman M. Kiss, Vice-Chairman
Alderman G. Copps
Alderman F. Lombardo
Alderman T. Jackson
Alderman H. Merling
Alderman D. Ross

Absent with Regrets: Mayor R. M. Morrow, City Business
Alderman D. Drury, City Business

Also present: Alderman T. Cooke (Part of Meeting)
Alderman B. Hinkley (Part of Meeting)
Mr. L. Sage, Chief Administrative Officer
Mr. P. Hooker, City Solicitor's Office
Mr. E. A. Simpson, City Clerk
Mr. S. J. Dembe, Manager, Licencing Division
Mr. D. Carson, Executive Assistant to the Mayor
John Thompson, Secretary

1. SOUTH WEST NEIGHBOURHOOD GROUP RE GUN SHOP OPERATION
122 LOCKE STREET SOUTH

South West Neighbourhood Group Regarding Gun Shop Operation 122 Locke St. South

The Secretary explained that at the request of Alderman T. Cooke and Alderman M. Kiss, the Co-ordinating Committee at its meeting 1989 May 25 requested the Manager of the Licencing Division to undertake the preparation of a report for submission to the Legislation Committee examining and summarizing all aspects of existing legislation to regulate and control the establishment and operation of gun shops in the City of Hamilton. The Co-ordinating Committee requested that the report address and examine the following issues:

(a) Provision for the safe storage of ammunition

(b) Zoning By-law provisions in relation to other cities

(c) Availability of enabling legislation to implement and enforce regulations and restrictions

(d) Federal and Provincial legislative requirements and regulations

(e) Position, if any, taken by FCM, AMO and the Regional Police Department regarding the regulation and control of gun shops.

Alderman Cooke addressed the Committee and explained that the Planning and Development Committee has undertaken a review of Zoning By-law provisions, regulations and restrictions on the establishment and operation of gun shops to ensure that there is a mechanism in place in the future to receive public input prior to the establishment of future gun shops. The proposed gun shop operation at 122 Locke Street South cannot be dealt with retroactively by the City through the Zoning By-law. In this regard, the City's jurisdiction is somewhat limited.

Alderman Kiss submitted that the City should have some licencing regulations and controls with respect to the establishment and operation of gun shops in the City of Hamilton.

A delegation of residents of the Locke Street South area appeared before the Committee in opposition to the establishment of a gun shop at 122 Locke Street South and to express concern over the adverse impact the proposed gun shop will have on their neighbourhood.

Gun Shop Operation
122 Locke St. South

Mrs. Connie Lee, 19 Glenside Avenue was in attendance and acted as spokesperson for the delegation.

She explained that the residents are not only appearing on behalf of the South West Neighbourhood Group but on behalf of all neighbourhoods in the City regarding the location of gun shop operations. She explained that the proposed location of a gun shop at 122 Locke Street South is within close walking distance of five elementary schools and is located on a street with five churches and numerous day care centres and is very close to parks including the H.A.A.A. grounds.

The delegation recommended that there should be licencing regulations in place that would accomplish the following:

(a) A firearms business should be required to apply to the City for a municipal licence. The application should set out the proposed location of the business and the type of firearms to be sold.

(b) Residents and businesses should be notified when an application has been filed for a firearms business in their area.

(c) If the area residents and/or businesses have any objection to the proposed location, there should be a process in place by which they can object to the licence and a hearing held.

(d) A licence should not be issued to a firearms business that would be locating within a specified distance of a residential area or school.

The Committee was in receipt of a report from the Manager, Licencing Division dated 1989 June 14 containing the following documents:

Document No. 1 Report from the City Solicitor's Office which outlines the following:

(a) Regulation of firearms

(b) Discharge of firearms

(c) Zoning

(d) Sale of used guns

Document No. 2 Report from the Building Department regarding 122 Locke Street South which indicates that the property is zoned "H" commercial which permits the sale of guns and ammunition.

Document No. 3 The Municipal Act - 210/29 - Only permits the municipality to regulate the discharge of firearms.

Document No. 4 City of Hamilton Streets By-law No. 9329, Section 15 (1) - regulates the discharge of firearms.

Document No. 5 Report of the Fire Prevention Bureau regarding the requirements for 122 Locke Street South. i.e. Portable fire extinguishers, fire safety plan and the controls of the Explosives Act and explosives regulations.

Document No. 6 The Hamilton Wentworth Regional Police, FCM and AMO.

Document No. 7 Letter from Staff Sergeant R. G. Wiles, Local Registrar of Firearms, Ontario Provincial Police.

It was moved by Alderman Copps, seconded by Alderman Kiss that the Special Committee of the Federal Government presently reviewing legislation regulating and controlling firearms be requested to take into consideration during their deliberations, the establishment of a procedure to provide an opportunity through a mechanism to allow citizens to express their concerns and give input with respect to the location of future gun shops. Motion lost of a vote of 3 to 4.

It was moved by Alderman Lombardo, seconded by Alderman Ross and carried that all presentations and reports be tabled pending receipt of the report from the Planning and Development Committee with respect to the review of the Zoning By-law restrictions and regulations.

2. LICENCING OF TOBACCO PRODUCTS

Licencing of Tobacco Shops

Dr. Michael Goodyear, Assistant Professor, Regional Cancer Centre, Department of Medicine, Faculty of Health Sciences, McMaster University appeared before the Committee and submitted a written brief on the sale of tobacco to minors. The brief contained the following recommendations:

(a) That the Hamilton-Wentworth Regional Police Force be requested to enforce the current federal and provincial legislation, and that Public Health Unit staff investigate the current situation with respect to compliance and lay charges where appropriate.

(b) That the licencing fee for tobacco products be substantially increased, to reflect both the remunerative nature of the product being sold and the costs of enforcing the licencing system, and that an two additional enforcement officers be recruited to ensure compliance with both statutory law and the by-law. A fee of at least $1 200 is suggested. Part of this fee could then also be used for public education purposes.

(c) That amendments to the by-law include making the provision of tobacco products to persons under the age of nineteen a municipal offence. This would bring tobacco into line with the sale of alcohol.

(d) That there by only a fixed number of licences issued in the City of Hamilton, and that this number be reviewed annually with a view to progressive reduction, and that there be no further new licences issued.

(e) That licences not be renewed to vendors in places to which minors have access, or within 500m of day-care centres, schools or other educational institutions.

(f) That licences not be renewed to vendors in health care premises (including pharmacies and hospitals) or within educational facilities.

(g) That licences not be renewed for the selling of tobacco products by vending machines, or for chewing or spitting tobacco.

(h) That proof of age be required for the purchase of tobacco products.

(i) That provision be made for regular inspection of licensees to ensure compliance with the law.

(J) That licences be suspended for any breach of the legislation, and that stiff penalties be provided for any breach of the By-law, we would suggest a fine of $2 000 on the first offence, with higher amounts for subsequent offenses. This brings the fines into line for those provided for breach of no-smoking by-laws. A hearing should be convened upon receipt of information regarding the laying of charges or conviction for contravention of the statutes or by-laws.

Licencing of Tobacco Shops

(k) That applications for renewal of licences be published and that there be provision made for hearings where interested parties may oppose the granting of such licences.

(l) That licensees be required to display copies of the Tobacco Restraint Act and the Minors' Protection Act in a prominent place and in association with displays of tobacco products.

(m) That licensees be required to provide educational material on the health effects of tobacco in association with their displays, together with copies of the health warnings as prescribed under the Tobacco Products Control Act 1988.

(n) That persons under the age of nineteen be prohibited from engaging in the sale of tobacco products.

(o) That should, in the opinion of the City Solicitor, any of the above recommendations exceed the statutory powers of the City, that enabling legislation be sought from the Province to delegate such powers.

(p) That the Province of Ontario be requested to amend the Minors' Protection Act to:

(i) Increase the age limit from eighteen to nineteen, as in Paragraph (c) of these recommendations.

(ii) Repeal Subsection 1.(2) allowing sale to minors with a written note from parents or guardians.

(iii) Increase the fine for the sale of tobacco to minors to a sum of not less than $2 000 and not more than $5 000.

The following persons also appeared before the Committee to comment on the City's By-law regarding the sale of tobacco and tobacco sales to minors:

Mrs. Ann Washington
Lung Association
Hamilton-Wentworth Region

Mr. Brian Reid, President
Hamilton-Wentworth Non-Smokers Rights Association

Ms. Vicki Woodcox
Hamilton-Wentworth Regional Health Department

Mr. Peter Hill

Ms. Peggy Hunter, Principal
St. Patrick's School

A written submission was also received from Mr. Bill Mattina, Education Representative, Hamilton-Wentworth Interagency on Smoking and Health, Physical and Health Education Consultant, Hamilton-Wentworth Roman Catholic Separate School Board in support of the City licencing tobacco outlets.

Mr. Dambe, Manager, Licencing Division, addressed the Committee and explained that although there is provision in the Licencing By-law to licence tobacco outlets, the City has not been licencing tobacco outlets since 1979. He explained that a schedule was included in the Licencing By-law some years ago at the request of the Police Department because of the potential of illegal trade of tobacco products.

Following consideration, it was moved by Alderman Kiss, seconded by Alderman Ross and carried that the recommendations of Dr. Goodyear be referred to the appropriate staff, i.e. Manager, Licencing Division and City Solicitor's Office for reports.

3. BY-LAW TO REGULATE AND CONTROL CATS

By-law to Regulate and Control Cats

Ms. Janice Wilson, 57 Briarwood Crescent, Hamilton appeared before the Committee requesting that the City's By-law to Regulate and Control Cats be repealed.

The following persons were also in attendance in support of the City repealing the Cat By-law:

Mr. Bill Bell

Ms. Maureen Maloney
172 Hess Street North

Ms. Pauline Hewitt
145 Gladstone Avenue

Mr. Graham Snelgrove
200 Bay Street South

Ms. Wilson submitted that the financial resources of the Hamilton S.P.C.A. could be put to better use by providing a clinic for neutering services.

Mr. Cam Stableford, General Manager, Hamilton S.P.C.A. and Ms. Margaret Smith, Humane Guidance Office, Hamilton S.P.C.A. were in attendance and displayed a cat trap. Mr. Stableford said that the cat traps are provided to the citizens to catch stray or roaming cats. He submitted that the trap does not cause any harm to the cat. He suggested that the current By-law could be amended to provide neutering clinics as well as the registration and licencing of cats.

Following discussion, it was moved by Alderman Ross, seconded by Alderman Merling that the City of Hamilton continue to maintain and enforce By-law No. 86-343 being a by-law to regulate and control cats.

Recorded Vote

In Favour Alderman Ross, Merling, Lombardo, Jackson

Opposed Alderman Agro, Kiss

In was subsequently moved and seconded that the Animal Control Sub-Committee be requested to investigate the feasibility of recommending the enactment of a by-law to licence cats in the City of Hamilton and for the collection of fees. This motion was lost on a tie vote and in accordance with established policy will now be submitted to City Council for its consideration and disposition.

4. MINUTES

Approval of the Minutes of the Legislatio Committee 1989 May 01

The minutes of the last regular meeting of the Legislation Committee held 1989 May 01 were received and adopted as distributed to the Members.

5. BY-LAW AMENDMENT TO PROVIDE FOR TAXICAB ADVERTISING

By-law Amendment to Provide for Taxicab Advertising

The Committee was in receipt of a letter from Alderman Don Drury dated 1989 June 02 respecting advertising on taxicabs along with various correspondence related to this issue. Alderman Drury is suggesting that the Legislation Committee look into this matter as soon as possible and propose an amendment to the By-law to allow for taxicab advertising, done in a tasteful, aesthetically pleasing manner with an added safety feature. In accordance with the recommendation of Alderman Drury, the Committee approved that the Taxicab Legislation Review Sub-Committee be requested to review the By-law pertaining to taxicab advertising and report back within 60 days.

Review of Transient Traders By-law Re: Flower Vendors

6. FLOWER VENDORS

As outlined in a report of the Manager, Licencing Division dated 1989 June 13, the Committee approved that a review of the Transient Traders By-law be undertaken by the Licence Division and that this review be completed within 120 days.

Attached to Mr. Dembe's report, for the information of the Committee, was an updated report on the Mother's Day weekend. As both Easter and Mother's Day weekends are over, there is sufficient time to do a complete review. The report will include recommendations pertaining to all aspects of flower sales including sale on City/Regional roads and private property.

Handbill Distributors Appointment of Special Sub-Committee

7. HANDBILL DISTRIBUTORS

The Committee approved that a special sub-committee be struck comprised of Alderman F. Lombardo, Alderman H. Merling and Alderman B. Hinkley to review that section of the Licencing By-law dealing with handbill distributors with the view to recommending a minor change to clarify the obligation to deposit handbills in the householder's mailboxes rather than placing flyers on verandas. As suggested by Alderman Hinkley, the sub-committee will also be examining the impact "Super Mailboxes" on the legislation to regulate and control handbill distributors.

Licencing Division Items Requiring Attention

8. LICENCING DIVISION ITEMS REQUIRING ATTENTION

The Committee received a report of the Manager, Licence Division dated 1989 June 12 containing a list of 17 outstanding items, some of which are presently under review by the Licence Division, Licence Committee, Taxicab Legislation Review Sub-Committee and the Legislation Committee. A review is required on some of the outstanding items and a decision will have to be made as to which committee should be conducting the review, Licence Committee or Legislation Committee.

Use of City Hall Facilities

9. CITY HALL FACILITIES

Hamilton Veteran's Committee

(a) Hamilton Veteran's Committee

As outlined in a report of the Secretary, Hamilton Veteran's Committee dated 1989 May 15, the Committee agreed to submit the following recommendation to City Council for approval.

That the Canadian Polish Congress be permitted to form up a parade in the City Hall forecourt on Sunday, 1989 September 03 at 1:30 o'clock p.m.

NOTE: Polish Veterans are parading for the 50th Anniversary of the Declaration of War by Great Britain and France and will pay tribute to their comrades who fell in the defence of freedom and independence.

Canadian Labour Congress

(b) Canadian Labour Congress

As outlined in a report of the Secretary, Legislation Committee dated 1989 June 09, the Committee agreed to submit the following recommendation to City Council.

That the request of the Hamilton and District Labour Council for permission to fly the C.L.C. flag at City Hall from Labour Day, Monday, 1989 September 04 to 1989 September 09, be approved.

Use of City Hall Facilities

(c) Theatre Aquarius

Theatre Aquarius

As outlined in a report of the City Clerk dated 1989 June 09, the Committee agreed to submit the following recommendation to City Council for approval.

That permission be granted to the request of Theatre Aquarius to display a model of their new theatre facility on the second floor of City Hall during the month of November 1989 to coincide with the public launch of the Capital Campaign to raise private sector funds towards the new building.

(d) Royal Scottish Country Dance Society

Royal Scottish Country Dance Society

As outlined in a report of the City Clerk dated 1989 June 09, the Committee agreed to submit the following recommendation to City Council for approval.

That the Hamilton Branch of the Royal Scottish Country Dance Society be granted permission to use the City Hall forecourt on Saturday, 1989 August 05 to demonstrate Scottish Country Dancing.

10. STAFF ADVISORY TEAM

Staff Advisory Team Financial Assistant for Newsletter "Outlook"

As outlined in a report of the City Clerk dated 1989 June 12, the Committee approved the following recommendations.

(a) That the request of the Staff Advisory Team for in the total amount of $300 to be used to assist in publishing their newsletter called "Outlook", be approved.

(b) That this amount funded from Account No. CH56302 12001, Advertising and Publicity, City Clerk's Department.

(c) That approval of the funding request be conditional upon no advertising being included in the newsletter.

11. RESOLUTIONS

Resolutions

(a) Township of South Crosby

Township of South Crosby Re: Petitioning the Provincial Government to increase funds for the Unconditional Grant Program

As outlined in a report of the City Clerk dated 1989 June 12, the Committee agreed to recommend to City Council that the following resolution from the Township of South Crosby petitioning the Provincial Government to increase funds for the Unconditional Grant Program for 1989, be endorsed.

WHEREAS Municipalities are limited in their ability to raise funds to support the increasing number of Provincial responsibilities that have to be provided in whole or in part by property taxpayers;

AND WHEREAS there has been no increases in the unconditional grants paid to Municipalities in 1989;

THEREFORE BE IT RESOLVED that the Township of South Crosby petition the Government of the Province of Ontario to increase funds by 5% for the Unconditional Grant Program for 1989;

AND FURTHER BE IT RESOLVED that the Province of Ontario explore new sources of funding for Municipalities;

AND THAT copies of this Resolution be forwarded to the Premier of the Province of Ontario and the Association of Municipalities of Ontario.

Resolutions

City of Guelph Regarding the Implementation of Recycling Program for Used Telephone Directories

(b) City of Guelph

The Committee agreed to recommend to City Council that the following resolution from the City of Guelph dealing with the implementation of recycling program for used telephone directories, be endorsed.

That Mr. J. V. Raymond Cyr, President and Chief Executive Officer, Bell Canada Enterprises Inc., be requested to initiate a program to develop telephone directories which can be readily recycled; and that such initiative be developed in conjunction with the appropriate representatives of Provincial and Municipal recycling programs and of those industries directly involved in the processing and marketing of used paper fibre;

And that this resolution be circulated to all municipalities in the Province of Ontario with a request that the resolution be endorsed and that such endorsement be forwarded to Bell Canada Enterprises Inc. at Executive Offices, 2000 McGill College Avenue, Suite 2100, Montreal, Quebec H3A 3H7, with a copy of such endorsement being returned to the City Clerk of the City of Guelph;

And that a copy of this resolution be forwarded for information to:

- Honourable Lucien Bouchard, Federal Minister of the Environment
- Honourable Jim Bradley, Ontario Minister of the Environment
- Honourable Bill Winegard, Federal Minister of State (Science and Technology)
- Mr. Rick Ferraro, M.P.P. Guelph
- Secretary General, Canadian Radio-Television and Telecommunications Commission
- Association of Municipalities of Ontario

Special Occasion Permit St. Mary's Portuguese Churche

12. ST. MARY'S PORTUGUESE CHURCH - SPECIAL OCCASION PERMIT

As outlined in a report of the City Clerk dated 1989 June 12, the Committee agreed to submit the following recommendation to City Council.

That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to the St. Mary's Portuguese Church on the occasion of their annual festivals in honour of "Our Lady of the Angels" 1989 August 11 to August 13 and in honour of Santa Cecicilia 1989 August 19 and August 20 outside at St. Mary's School playground and at Sts. Cyryl and Methodius Church Parking lot, conditional upon the following:

"That musical entertainment be discontinued at 11:00 o'clock p.m. and further that all noise regulations and restrictions be strictly observed and adhered to following 11:00 o'clock p.m."

Bingo Lotteries - Time Periods

13. BINGO LOTTERIES - TIME PERIODS

As outlined in a report of the Manger, Licence Division dated 1989 June 14, the Committee agreed to submit the following recommendations to City Council for approval.

(a) That By-law No. 78-130, as amended by By-law No. 87-18, Schedule 7, Sub-section 4, be further amended so as to permit a late evening bingo where the total prize value of all games played does not exceed $3 500 during the time period between 9:00 p.m. to 1:00 a.m.

(b) That, notwithstanding the overlap of time periods between an evening bingo which is 6:00 p.m. to 10:00 p.m., there shall remain a one-half hour time period between the two bingo events.

(c) That the City Solicitor be authorized to prepare the necessary amending By-law.

Aluminum and Steel Refreshment Containers

14. ALUMINUM AND STEEL REFRESHMENT CONTAINERS

Alderman Merling explained that Coca Cola containers are presently made out of aluminum and that Pepsi Cola containers are made with steel. He stated that the manufacturing of aluminum containers has had an adverse impact on the steel industry in the City of Hamilton. He recommended that coke in aluminum cans not be permitted to be sold on City property. The Committee agreed however to forward a letter to all City-owned facilities selling soft drink refreshments recommending that both steel and aluminum containers be sold at their outlets.

Election Procedures Feasibility of using Composite Paper Ballot

15. ELECTION PROCEDURES

The Committee approved the recommendation of Alderman Ross that the City Clerk be requested to review the election procedures in the City of Hamilton and report back on the feasibility of using the composite paper ballot rather than the votermatic machines.

Adjournment

The meeting then adjourned.

Taken as read and approved,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

John Thompson, Secretary
1989 June 19

Typed by M. J. Walton

2.

Corporation of the City of Han

Memorandum

****

TO: Chairman and Members
Legislation Committee

YOUR FILE:

FROM: John Thompson, Secretary
Legislation Committee

OUR FILE:
PHONE: 526-2729

SUBJECT: BINGO LOTTERIES - TIME PERIODS

DATE: 1989 June 30

Sub-joined is a copy of Section 2 of the Tenth Report of the Legislation Committee which was referred back by City Council at its meeting held 1989 June 27 for further review.

The Committee's recommendation to reduce the time separation between bingo events was referred back in light of the attached memorandum from Ms. Lian Lawrence, City Solicitor's Office.

John Thompson

JT:mjw

Attachment

c.c. Mr. S. J. Dembe, Manager
Licencing Division

Ms. Lian Lawrence
City Solicitor's Office

(a) That By-law No. 78-130, as amended by By-law No. 87-18, Schedule 7, Sub-section 4, be further amended so as to permit a late evening bingo where the total prize value of all games played does not exceed $3 500 during the time period between 9:00 p.m. to 1:00 a.m.

(b) That, notwithstanding the overlap of time periods between an evening bingo which is 6:00 p.m. to 10:00 p.m., there shall remain a one-half hour time period between the two bingo events.

(c) That the City Solicitor be authorized to prepare the necessary amending By-law.

Corporation of the City of Hamilton

Memorandum

****

TO: Mr. E. A. Simpson,
City Clerk,
Attn: Mr. S. J. Dembe,
Manager, Licence Division

YOUR FILE:

FROM: Lian Lawrence,
City Solicitor's Department

OUR FILE: 50-27.2

SUBJECT: Bingo Lotteries - Time Periods

DATE: 1989 June 22

This is further to our discussion of 20 June 1989, wherein you advised me of the above-captioned item that was added to the Agenda of the Legislation Committee on 19 June 1989.

On 21 June 1989, I verbally advised you that I had reviewed the Bingo By-law No. 78-130, as amended, and I drew your attention to S. 22(3) which was enacted by By-law No. 81-248. Section 22(3) reads as follows:

> No licensee shall conduct a bingo lottery within a period of 3 hours following the completion of a bingo lottery on an occasion for which the licence was issued. (Emphasis added)

You indicated to me that that section was to have been repealed by By-law No. 87-18 which enacted Schedule 7 to the Bingo By-law No. 78-130. I reviewed By-law No. 87-18 with you and pointed out that said By-law did not repeal S. 22(3).

As a result, S. 22(3) remains as a requirement of all licensed bingo events. To amend By-law No. 78-130 further in the manner which you recommended to the Legislation Committee in your memo of 14 June 1989 would create an internal contradiction to the By-law. You would have a provision requiring a 3-hour separation between bingo events, and a 1/2 hour separation between bingo events.

You then re-iterated the suggestion in the recommendation to the Legislation Committee that the 1/2 hour separation apply only to the evening bingos, and you indicted that the Lotteries Branch of the Ministry of Consumer and Commercial Relations did not require more than a 1/2 hour separation between events.

I advised you that, at the very least, the 1/2 hour separation would have to apply to all licensed bingo events, unless you had some written Ministerial directive to the contrary. You agreed to that.

Subsequently, I telephoned the Lotteries Branch of the Ministry of Consumer and Commercial Relations to clarify the authority for requiring a separation between bingo events or occasions. I spoke to a Mr. Antonacci, who advised me of the following:

1. The Lotteries Branch of the Ministry of Consumer and Commercial Relations has an unwritten policy to the effect that separate licensed bingo events be separated in time.

2. It is their recommendation that that separation be at least 1 hour. Municipalities may, by by-law, require a longer separation

3. It is their position that a 1/2 hour separation is not sufficient; 1/2 hour constitutes an intermission, not a separation of events.

4. Revised terms and conditions are being drafted. It is anticipated that they will take effect early in 1990. Included in the revised terms and conditions will be a requirement that the time period separating bingo events or occasions be at least 1 1/2 hours.

In light of the foregoing, I suggest that you have the Lotteries Branch of the Ministry clarify their position in writing with respect to your recommendation to reduce the time separation between bingo events from 3 hours to 1/2 hour, and that this clarification be obtained before the by-law is amended. Please provide me with a copy of same when available.

In the meantime, until this issue is resolved, please ensure that no special arrangements or commitments with respect to the timing of licensed bingo events are made in anticipation of this by-law amendment. Also, please ensure that the 3-hour separation, as required by S. 22(3) of By-law No. 78-130 as amended, is enforced.

Lian Lawrence,
for K. A. Rouff,
City Solicitor.

LL:js
c.c. Chairman and Members, Legislation Committee,
Attn: Mr. J. D. Thompson, Secretary

3.

Corporation of the City of Ham.

Memorandum

****

TO: Chairman and Members
Legislation Committee

YOUR FILE:

FROM: John Thompson, Secretary
Legislation Committee

OUR FILE:
PHONE: 526-2729

SUBJECT: POP CANS

DATE: 1989 July 12

At its meeting held 1989 June 27, City Council, on the recommendation of Alderman H. Merling directed that the following resolution be referred to the Legislation Committee for consideration:

> "That coke in aluminum cans not be permitted to be sold on City Property."

JT:mjw

CITY COUNCIL
HAMILTON, CANADA

ALDERMAN DON ROSS
Chairman, Economic Development & Planning
Chairman, Freeway Steering

71 MAIN STREET WEST L8N 3T4 • (416) 526-2730 • RES. (416) 387-1842 — WARD 8

4.

June 26, 1989

Mr. John Thompson
Secretary
Legislation Committee

Dear Mr. Thompson:

RE: Western Canada Mardi Gras Convention
Hamilton, Ontario
February 2-4, 1990

Please find enclosed information that I have been provided with respect to the above-noted convention.

Would you please arrange to have this item placed on the July 17th agenda of the Legislation Committee, at which time I will speak to the committee members.

Your co-operation in this regard is very much appreciated.

Yours truly,

Don Ross
Alderman, Ward 8

rd

cc: Mr. Bas Opdenkelder
Vice-Chairman, 1990 Convention
The Mardi Gras Festival of Hamilton-Wentworth Inc.
30 Maple Drive
Stoney Creek, Ontario L8G 3C2

The Mardi Gras Festival of Hamilton-Wentworth Inc.

30 Maple Drive, Stoney Creek, Ontario, Canada L8G 3C2 (416) 560-3211

THE MARDI GRAS CAPITAL OF CANADA

Alderman
Don Ross
City of Hamilton

JUN 12 1989

June 7, 1989

Dear Don,

The Mardi Gras Festival of Hamilton-Wentworth Inc is excited to host the 18th. Western Canada Mardi Gras Convention in Hamilton on February 2, 3, 4, 1990.

We expect approximately 1500 delegates from across Canada the United States and Europe to participate in his convention.

This convention will be a boost for our economie and especially for the downtown core.

Enclosed you will find information concerning advertising in our Souvenir/Program Publication.

We appreciate the City of Hamilton and the Region of Hamilton-Wentworth support in this.

Since we occupy the Hamilton Convention Centre and a large part of the Sheraton Hotel, an advertisement from the HECFI would also be appreciated.

Don, thanks again for your continuous support

Respectfully,

Bas Oppenkelder
Vice-chairman 1990 convention

MARDI GRAS CAPITAL OF CANADA







The ambitious City of Hamilton

and the

Hamilton-Wentworth Mardi Gras Festival Inc.

present the

18th Western Canada MARDI GRAS CONVENTION

and

International MARDI GRAS FESTIVAL

February 2, 3, 4, 1990

at the

CONVENTION CENTRE
HAMILTON, ONTARIO

COME SEE

Spectacular Performances by Mardi Gras Groups from the West to the East, from South of the Border and overseas!

SEE YOU ALL IN 1990!

SPECIAL TOUR to NIAGARA FALLS
— only 30 minute drive from Hamilton.

1st MARDI GRAS PARADE

in **Hamilton downtown** on
SATURDAY, FEBRUARY 3, 1990!

REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH
SALUTES MARDI GRAS!

The Mardi Gras Festival of Hamilton-Wentworth Inc.

30 Maple Drive, Stoney Creek, Ontario, Canada L8G 3C2 (416) 560-3211

THE MARDI GRAS CAPITAL OF CANADA

EXECUTIVE COMMITTEE:

Albert Kergl
Chairman 560-3211

Bas Opdenkelder
Vice-Chairman 664-2465

Flavia Tranquilly
Secretary 388-9423

John Doesborgh
Treasurer 662-7552

DIRECTORS.

Paul Biegger 388-4982
Cornell Bruggeman 544-6954
Rino Santi 628-8872
Fulton Seunarine 527-7228

HEAD OFFICE:

30 Maple Drive,
:y Creek, Ontario
ada L8G 3C2
Tel: (416) 560-3211
Fax: (416) 561-5154

PRELIMENARY AGENDA – 1990 CONVENTION

Friday, February 2

10 a.m.	–	6 p.m.	**Registration** at the Sheraton Hotel
6 p.m.	–	8 p.m.	**Dinner** Convention Centre, Main Floor (Wentworth Hall)
9 p.m.	–	1 a.m.	**Hobo Dance**/Lumpenball Convention Centre, Main Floor (Wentworth Hall)

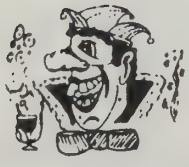
Saturday, February 3

7:30 a.m.	–	10 a.m.	**Breakfast** Convention Centre, Main Floor (Wentworth Hall)
10 a.m.	–	12 a.m.	**Visit to City Hall** Parade from City Hall to Convention Centre
12 a.m.	–	2 p.m.	**Board Meeting,** Western Canadian Mardi Gras Sheraton Hotel (Room T.B.A.)
12 a.m.	–	4 p.m.	**Bus trip to Niagara Falls** Busses will leave from Convention Centre
5:30 p.m.	–	7 p.m.	**Dinner** Convention Centre, Main Floor (Wentworth Hall)
7:30 p.m.	–	10 p.m.	**Grand Gala Ball,** march in and performances Convention Centre, Third Floor (Chedoke Hall)
10 p.m.	–	1 a.m.	*Grand Gala Ball, Prinsen couples to open Dance
10 p.m.	–	1 a.m.	**Disco** (non-alcoholic youth dance) Convention Centre, Third Floor (Webster Hall)
			***Champagne Bar** Room 314 – Convention Centre

Sunday, February 4

9:30 a.m.	–		**Breakfast and good-bye's** Convention Centre, Main Floor (Wentworth Hall)









– DEDICATED TO FORWARDING THE IDEAS AND PRINCIPLES OF MARDI GRAS/CARNIVAL(E) –

The Mardi Gras Festival of Hamilton-Wentworth Inc.

30 Maple Drive, Stoney Creek, Ontario, Canada L8G 3C2 (416) 560-3211

THE MARDI GRAS CAPITAL OF CANADA

EXECUTIVE COMMITTEE:

Albert Kergl
Chairman 560-3211

Bas Opdenkelder
Vice-Chairman 664-2465

Flavia Tranquilly
Secretary 388-9423

John Doesborgh
Treasurer 662-7552

DIRECTORS:

Paul Biegger 388-4982
Cornell Brüggemann 544-6954
Rino Santi 628-8872
Fulton Seunarine 527-7228

HEAD OFFICE:

30 Maple Drive,
Stoney Creek, Ontario
Canada L8G 3C2
(416) 560-3211
Fax: (416) 561-5154

May 15, 1989

To whom it may concern,

Bearer of this letter is authorized by the Mardi Gras Festival of Hamilton-Wentworth Inc. to solicit advertising and donations for the 18th Western Canadian Mardi Gras Convention, to be held February 2, 3, 4, 1990 in downtown Hamilton.

Thank you for your co-operation

Albert Kergl
Chairman

The Mardi Gras Festival of Hamilton-Wentworth Inc.

PRESENTS

THE 18TH WESTERN CANADA MARDI GRAS CONVENTION

February 2, 3, 4, 1990

HAMILTON, ONTARIO, CANADA











GREATER HAMILTON – THE MARDI GRAS CAPITAL OF CANADA

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH SALUTES MARDI GRAS!

WESTERN CANADA Mardi Gras ASSOCIATION

THE MARDI GRAS CAPITAL OF CANADA

The Mardi Gras Festival of Hamilton-Wentworth Inc.

30 Maple Drive, Stoney Creek, Ontario, Canada L8G 3C2 (416) 560-3211

The 18th Western Canada Mardi Gras Convention Souvenir/Program Publication

FEBRUARY 2, 3, 4, 1990, HAMILTON CONVENTION CENTRE

ADVERTISING RATES AND DATA

Over 1500 participants will enjoy 3 days of festivities at this unique Convention in Greater Hamilton, the Mardi Gras Capital of Canada. Guests from Western Canada, the USA and Europe will make this a once in a lifetime event.

Your advertisement in this Souvenir/Program Publication will not only help sponsor this event but also leave a long lasting remembrance for all participants.

Thank you for your cooperation.

Bas Opdenkelder
Vice Chairman

MECHANICAL REQUIREMENTS

Printed: Offset

Halftones: 100 line screen

Type page: 7½" wide by 10" deep

Trim page: 8½" wide by 11" deep

FOR BLACK/WHITE ADVERTISEMENTS: SCREEN NEGATIVES TO SIZE, LIGHT READING, EMULSION SIDE DOWN.

STANDARD ADVERTISING SIZES

SIZE	WIDTH	DEPTH
Full Page	7½"	10"
½ Page	7½"	5"
¼ Page	3½"	5"
Bus. Card	3½"	2"

ADVERTISING RATES

SIZE:		
	Bus. Card	$ 50.-
	¼ Page	$125.-
	½ Page	$250.-
	Full Page	$500.-
	O.B.C.	$600.-
	I.F.C.	$550.-
	I.B.C.	$550.-

All contracts material and insertion orders are to be sent to:

The Mardi Gras Festival of Hamilton-Wentworth Inc.
30 Maple Drive, Stoney Creek, Ontario, Canada L8G 3C2
Attn: Bas Opdenkelder







CARIBBEAN CULTURAL ASSOC.

– DEDICATED TO FORWARDING THE IDEAS AND PRINCIPLES OF MARDI GRAS/CARNIVAL(E) –



THE 18th

WESTERN
CANADA
MARDI GRAS
CONVENTION

HAMILTON · ONTARIO

1990



5.

FOR ACTION

REPORT TO: Mr. John Thompson
Secretary, Legislation Committee

FROM: Mrs. S. Glover
Secretary, Licensing Committee

DATE: 1989 June 19
COMM FILE:
DEPT FILE:

SUBJECT: **BY-LAW 79-128 GOVERNING THE PROHIBITION AND REGULATION OF FIREWORKS**

RECOMMENDATION:

That the Legislation Committee be requested to review with the Fire Chief any concerns he has regarding By-Law 79-128 with respect to the storage and display of fireworks within retail stores in the City of Hamilton.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

The above recommendation was approved by the Licensing Committee at its meeting held 1989 June 14.

For the information of members of the Legislation Committee, this matter has arisen due to a recent incident involving the ignition of fireworks in a retail store.

S.M. Glover

SG/mec

c.c. Chief Saltmarsh

6.

MAYOR'S OFFICE

Memorandum

****

TO: John Thompson, Secretary
Legislation Committee

DATE: July 12, 1989

FROM: Dennis Carson
Executive Assistant to the Mayor

RE: CIVIC LUNCHEON FOR THE LORD PROVOST OF GLASGOW, SCOTLAND

We are honoured to have a short visit from Susan Baird, the Lord Provost of Glasgow, Scotland, on Friday, July 28.

Accordingly, I recommend that the City of Hamilton host a luncheon at the Convention Centre on that date with representatives of City Council and the Hamilton area Scottish Societies.

The cost of this luncheon for 30 people is not to exceed $750.00, and is to be funded from the Unclassified Expenditure account.

Dennis Carson

DAC/gs

June 29th, 1989

CANADIAN BROTHERHOOD OF RAILWAY, TRANSPORT AND GENERAL WOR
FRATERNITÉ CANADIENNE DES CHEMINOTS, EMPLOYÉS DES TRANSPORTS

7(a)

26 June 1989

To Legis

Mr. R. Morrow
Mayor
City Hall
Box 2240 Station A
Hamilton,Ontario
L8N 3T4

Dear Mr. Mayor:

As you are no doubt aware, the Federal Government has announced plans to cut public funding for VIA Rail. Over the next five years, the Government intends to reduce its commitment to VIA by $ 1.5 Billion.

This will have the impact of crippling VIA's ability to provide passenger rail service to your community and to operate as a link between the regions of Canada, from the Maritimes to British Columbia.

As Municipal Leaders, you are perhaps more aware than most, of the importance of VIA Rail to your community. Many of your constituents depend on VIA for both business and pleasure.

C. B. R. T. and G. W. is a volunteer organization of people concerned about the future of VIA Rail. We are determined to convince the Government that cutting back VIA's funding is wrong for your community and wrong for Canada. To do this, we are asking for your help.

In all of the municipalities served by VIA were to express their opposition to the cutbacks, a tremendous amount of pressure would be brought to bear on Ottawa. We are respectfully requesting that you consider this matter at an upcoming Council meeting, and pass a resolution that supports our cause.

We have enclosed for your consideration, a sample resolution which may assist you when dealing with this issue. If our Organization may be of any assistance in your deliberations, please do not hesitate to call or write.

Let's keep VIA moving.

Yours sincerely,

R. J. Stevens
Regional Vice President
RJS:ml

RESOLUTION EXPRESS OPPOSITION TO VIA RAIL CUTBACKS:

Moved by:

Seconded by:

Whereas Via Rail serves not only our community, but is a vital link between all the regions of Canada,

And whereas the Federal Government has announced its intention to cutback public funding for VIA Rail, which will jeopardize passenger rail service across the country,

Therefore be it resolved that this Council is opposed to the Federal Government's plans to cutback VIA Rail funding,

and be it further resolved that our position be communicated to the Prime Minister of Canada, the Federal Minister of Finance, the Federal Minister of Transport and our local Member(s) of Parliament.



VIA'S BUSINESS PLAN: SOME ISSUES

CANADIAN BROTHERHOOD OF RAILWAY, TRANSPORT AND GENERAL WORKERS
2300 CARLING AVENUE, OTTAWA, ONTARIO K2B 7G1 TEL (613) 829-8764
(TTU/OFL-CLC)

JUNE, 1989



Introduction

Deputy Prime Minister Don Mazankowski, when he held the transport portfolio, challenged Canadians to use VIA or lose it. Information obtained by the Canadian Brotherhood of Railway, Transport and General Workers shows that not only have Canadians accepted the challenge issued by the former minister of transport, they have shown the way towards a VIA Rail that operates more efficiently and recovers more of its costs.

VIA is scheduled to present its business plan to Transport Minister Benoit Bouchard this summer. The CBRT&GW does not have access to complete information, or to the battery of accountants and planners on which VIA is able to call. We therefore present this document as a way of raising issues which should be addressed in VIA's business plan.

For reasons which have been enumerated many times, Canada needs passenger trains. Airport and highway congestion, the environment and the need to conserve energy are all powerful arguments to keep VIA moving.

But the best argument for VIA is the number of passengers who are flocking to the train. Passenger miles in March, 1989 were some 24% higher than they were in the same month last year. Over the first quarter of this year, ridership was up substantially.

The results could be even better if VIA re-equipped itself and added capacity, especially for the tourist trade. Re-equipping would also substantially reduce maintenance costs.

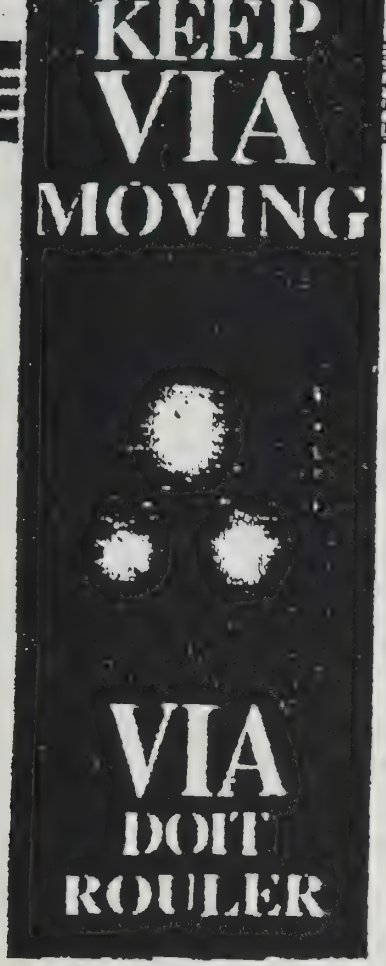
We also call for an end to the roughly $70 million per year which VIA must pay for using the railways' track. In the case of CN Rail, to which 70% of the payments go, the track is already owned by Canadian taxpayers. Why should we have to pay twice to use it?

VIA should also be allowed to set its own fares. More capacity is being used. But if VIA were allowed to set low-priced excursion fares, more seats could be filled without adding costs, meaning a lower operating deficit.

If VIA needs up-front capital, its property is valued at over $820 million on the company's balance sheet.

Finally, as can be seen from the Financial Performance Report we are releasing with this brief, VIA's management has been too cautious and timid in planning its budget for the year. In almost every case, ridership has exceeded expectations and expenses have been lower than anticipated. It is almost as if VIA's planners were anticipating failure -- or as if VIA's political masters were telling them to cast performance in the worst light.

CANADIAN BROTHERHOOD OF RAILWAY, TRANSPORT AND GENERAL WORKERS
2900 CARLING AVENUE, OTTAWA, ONTARIO K2B 7G1 TEL (613) 829-8764
(TTU/OFL-CLC)
JUNE, 1989



Summary figures: Ridership up, expenses down

The Executive Summary of VIA's financial performance report shows sales have increased some 16.7% in the first quarter of this year as compared with the same period a year ago.

Ridership across the system, as measured by passenger miles, was up 17% in the first quarter, or some 24% between March, 1988 and March, 1989 Passenger load factors increased by 19% in the first quarter.

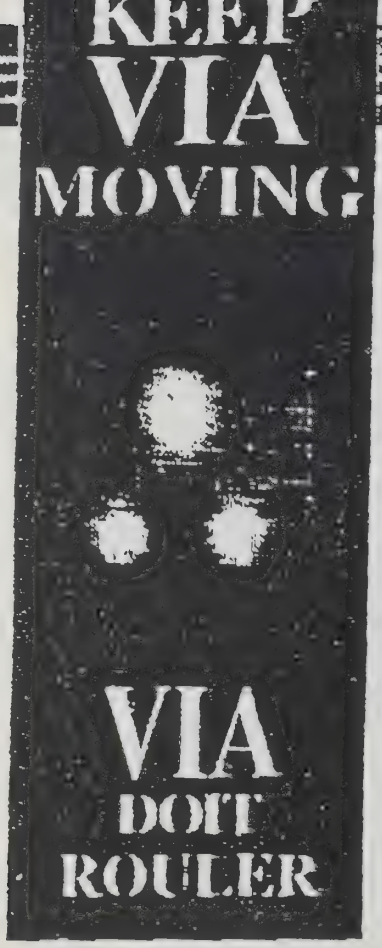
All of this happened while expenses were declining. Expenses were some 10% lower than the year previous.

VIA's projected totals for the period were met and surpassed in every category. Sales were some $3 million higher than projected. Expenses were more than $8 million less than forecast. There were 35 million more passenger miles travelled on the system than VIA had forecast.

The federal government has been trying to paint a picture of a passenger rail service that is used by fewer people and has more costs. The figures show this interpretation is wrong.

What is the true picture at VIA Rail? Based on the company's performance report, we have a significant increase in ridership, coupled with a significant decrease in costs.

There can be little doubt that, even with old equipment and resultant increased maintenance costs, VIA is on the right track in a business sense.



Where did ridership increase?

One of the areas targeted by the government for the worst cutbacks in VIA service appears to be the Maritimes. That is precisely the area in which VIA has registered one of its biggest sales increases. Sales in Atlantic Canada in the first quarter were 23% higher than the previous year, some $935,000 higher than projected by VIA.

The picture in Ontario and the West is much the same. In Western Canada, sales rose by 36% in the quarter. That is over 30% more than projected by VIA. In Ontario, sales rose more than 20% or almost $2 million more than projected by VIA.

While part of these large increases are attributable to Easter holiday travel, VIA admits in the notes to Corporate Sales and Revenues that traffic is "heavier ... than anticipated."

The Key Statistics and Indicators chart shows that if only a small minority use the train (as Prime Minister Mulroney and Transport Minister Bouchard say), it's a rapidly growing one. The number of passengers carried by VIA in the first three months of the year was up by more than 12%

Impressive gains have also been made in train revenues. These were up 23.9% in the eastern corridor, 21% in eastern longhaul services and 18.6% in western longhaul. VIA is also projecting an increase of more than 128% in revenues from its Rocky Mountain Tour. Across the system, VIA's revenues increased by 18.3% in the quarter.

The increased ridership has allowed the corporation to make an important gain in cost recovery. While the ratio of revenues to costs in 1988 was 20%, the first three months of this year show a ratio of 25.2%. That impressive increase -- even though it is not enough -- shows the potential for a re-equipped passenger rail network.



Conclusions: Options for study

An analysis of VIA's Preliminary Financial Performance Report of January-March, 1989, raises as many questions as it answers.

We have one important answer: given a reliable service, Canadians will use passenger trains. Any business which posted gains as impressive as VIA's should be considered a success.

Can VIA's operating costs be reduced? A study by Transport 2000 Canada suggested that if VIA replaced its old transcontinental equipment with bi-level cars like Amtrak uses, it could save some $70 million per year. Ridership would increase: now, it is nearly impossible to get cross-Canada sleeping accomodation in summer. A huge, untapped tourist market exists: VIA could have carried 50,000 more Japanese tourists last year if it had the equipment, according to the Japanese tourism industry. There would undoubtedly be thousands more from the United States. In this area, more capacity would mean more traffic for VIA.

VIA does not need huge capital grants from the government to buy this equipment. Like the airlines and the freight railways, VIA could lease the new rolling stock.

Financng of new equipment through leases, cutting back drastically on payments to the freight railways, attracting more passengers with new rolling stock and using the company's real estate holdings more effectively would be logical steps in reducing VIA's need for government financing.

Other steps can be taken, as well. Offering more premium services, like VIA 1 first class, might generate more revenues. In the United States, Amtrak provides a point-to-point small package express service.

The conclusion is inescapable. For VIA Rail, the problem is not so much economic as political. The question is whether Transport Minister Benoit Bouchard and the federal government have the foresight to maintain a passenger rail system which will be an invaluable investment in Canada's future.

CANADIAN BROTHERHOOD OF RAILWAY, TRANSPORT AND GENERAL WORKERS
2300 CARLING AVENUE, OTTAWA, ONTARIO K2B 7G1 TEL (613) 829-5764
(TTU/OFL-CLC)



What VIA pays the railways

VIA will be shackled by compulsory payments to Canada's freight railways in the amount of over $100 million this year. Of this amount, almost $68 million will be spent on payments to the two railways for the use of their track. Every day of the year, VIA pays $186,000 to the freight railways to use their track -- more than $10,000 for every train VIA runs.

VIA will have to spend almost a third of its sales revenue on leasing track space. Imagine an airport tax of one third the cost of your ticket, or a road tax that would cost you thousands of dollars to drive your car every year and raise bus fares 35%. Why should Canadian taxpayers be charged again for something they already own?

The total amount paid to the two railways is projected to be more than $85 million this year. In the first three months of the year, however, expenses ran well ahead of projections. Over $25 million had already been paid out.

CANADIAN BROTHERHOOD OF RAILWAY, TRANSPORT AND GENERAL WORKERS
2300 CARLING AVENUE, OTTAWA, ONTARIO K2B 7G1 TEL (613) 820-8764
(TTU/OFL-CLC)

JUNE, 1988

7(b)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: E. A. Simpson
City Clerk

DATE: 1989 July 12
COMM FILE:
DEPT FILE:

SUBJECT:

Resolution from the Town of Oakville regarding road cuts on urban streets.

RECOMMENDATION:

That the attached resolution from the Town of Oakville recommending an amendment to the Municipal Act to permit municipalities to establish a surcharge for road cuts, **be received**.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

Attached is a copy of a letter from Mr. Stan Spencer, Commissioner of Engineering dated 1989 June 16 advising that the Region has a well established system for road cuts and repairs and would not recommend a surcharge at this time.

Attachment

RECEIVED
MAY 4 1989
CITY CLERKS

OAKVILLE
ONTARIO

THE CORPORATION OF THE TOWN OF OAKVILLE

TELEPHONE 845-6601
P.O. BOX 310
L6J 5A6

TO: The Municipal Clerk in each Ontario Municipality with a population over 50,000

SUBJECT: Impact of Road Cuts on Urban Streets

DATE: April 26, 1989

In response to its concern about the effect that road cuts are having on its street, the Oakville Council at its meeting on April 17, 1989, passed the following resolution.

> "Whereas most municipalities charge a fee for road cuts, and
>
> Whereas this fee is typically nominal in nature and only sufficient to cover the maintenance from time to time of the various road cuts, and
>
> Whereas the multiplicity of road cuts in well used urban streets precipitates the repaving of these streets at a more rapid rate than would otherwise be planned for, and
>
> Whereas there is no provision in The Municipal Act to levy a surcharge for these road cuts in addition to the fee,
>
> Now therefore be it resolved that the Council of the Town of Oakville requests the Province to amend The Municipal Act so as to permit municipalities throughout the Province to establish a surcharge for road cuts to be set aside into a special fund for the purposes of the repaving of streets and that all municipalities with a population in excess of 50,000 be requested to endorse this resolution and that it be forwarded to the Association of Municipalities of Ontario for its endorsement."

It would be appreciated if you would present this resolution to your Council for consideration of our request that it be endorsed. If the resolution is endorsed, would you please forward a copy of your Council's endorsement to the Minister of Municipal Affairs and to the Association of Municipalities in Ontario.

Yours sincerely

Michael K. Wood
Deputy Clerk
Town of Oakville

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Department of Engineering
71 Main Street West, Hamilton, Ont. L8N 3T4 (416) 526-4170

I.D.#1613(46)

Refer to File No. T103-06
Attention of C. Pacella
Your File No.

June 16, 1989

TO: John Thompson, Secretary
Legislation Committee

FROM: Stan Spencer
Commissioner of Engineering

RE: Road Costs on Urban Streets (Surcharge)

We have reviewed the information regarding a resolution from the Town of Oakville recommending an amendment to the Municipal Act to permit municipalities to establish a surcharge for road cuts.

We wish to advise that; the Region has a well established system for road cuts and repairs and would not recommend a surcharge at this time. Should you wish further discussions on this matter, please contact Mr. Doug Onishi at 526-4316.

CP:jd

7(c)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: E. A. Simpson
City Clerk

DATE: 1989 July 12
COMM FILE:
DEPT FILE:

SUBJECT:

Resolution from the City of Toronto
Regarding Certified Copies of Municipal By-law Consolidations

RECOMMENDATION:

That the resolution from the City of Toronto recommending that the Municipal Act be amended to ensure that certified copies of by-law as amended and consolidated shall be received in evidence in all courts, **be endorsed**.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

Copy of Resolution attached. City Solicitor's Office concurs with the intent of the resolution.

CITY OF TORONTO

RECEIVED
JUN 30 1989
CITY CLERKS

Department of the City Clerk
City Hall, Toronto, Ontario, Canada M5H 2N2
Telephone 392-7026
TDD 392-7354
Fax 392-6990

Barbara Caplan/City Clerk

Reply to: G. James, 392-7031

Please refer to: 89exec21-47b:4

June 19, 1989

TO: MUNICIPALITIES WITH A POPULATION OVER 50,000

At its meeting on June 15 and 16, 1989, City Council gave consideration to the attached Clause 47 contained in Report No. 21 of the Executive Committee entitled "Use of Certified Copies of Municipal By-Law Consolidations".

Your support of this petition would be appreciated.

Yours truly,

BCaplan

City Clerk

cd/es
JL

Encl.

Association of Municipalities of Ontario, 100 University Ave., Ste., 805, Toronto M5J 1V6

Municipalities with a population over 50,000

CITY OF TORONTO
DEPARTMENT OF THE
CITY CLERK

CLAUSE EMBODIED IN REPORT NO. 21 OF THE
EXECUTIVE COMMITTEE WHICH WAS
ADOPTED BY CITY COUNCIL AT ITS MEETING
HELD ON JUNE 15 & 16, 1989

.....

47

USE OF CERTIFIED COPIES OF MUNICIPAL BY-LAW CONSOLIDATIONS

The Executive Committee recommends the adoption of the report (June 5, 1989) from the City Solicitor.

The Executive Committee submits the report (June 5, 1989) from the City Solicitor:

Origin: City Solicitor (c06exec89432:127)

Comments: On April 25, 1989, the Attorney General replied to our request for an amendment to Section 129(4) of the Municipal Act by stating as follows:

a. He has referred the matter to his colleague, the Honourable John Eakins, Minister of Municipal Affairs.

b. He notes that no difficulties have been encountered to date.

c. He mentions that there is no statutory provision for admissibility of consolidations of provincial statutes and regulations and he would be reluctant to recommend such a provision in the provincial Evidence Act.

First, we have had some problems with certain courts who have insisted upon the production of certified copies of the original by-laws along with every single relevant amendment which also had to be certified.

Secondly, it is Section 129(4) of the Municipal Act that we are seeking an amendment which provides that a copy of a by-law, purporting to be certified by the Clerk, under the seal of the corporation, as a true copy is receivable in evidence in all courts without proof of the seal or signature. The section can easily be amended to read that a copy of a consolidation of a by-law, as amended, certified by the Clerk, under the seal of the corporation, as a true copy is receivable in evidence in all courts without proof of the seal or signature.

Thirdly, it is a trite law that consolidations of provincial statutes and regulations are admissible by the court taking judicial notice of them and the

Attorney General's comments regarding consolidations of provincial statutes and regulations are quite beside the point. He surely must realize that a by-law is not provable by its mere production and must be certified although one recent case in the Provincial Court has held that the court may take judicial notice of a by-law.

Recommendations:

1. That the City Clerk again be authorized and directed to petition both the Attorney General and the Minister of Municipal Affairs on behalf of the City Council to amend Section 129(4) of the Municipal Act to ensure that certified copies of by-laws as amended and consolidated shall be received in evidence in all courts.

2. Further, that the City Clerk again inform the Association of the Municipalities of Ontario and all municipalities over 50,000 in population of the foregoing petition and requesting their support for the petition.

The Executive Committee also submits the communication (April 25, 1989) from the Attorney General:

Thank you for your letter of March 30, 1989, concerning the admission into evidence of certified copies of Municipal by-law consolidations.

As the City of Toronto's proposal is for an amendment to the Municipal Act, I believe that your request should first be directed to my colleague, the Honourable John Eakins, Minister of Municipal Affairs. Accordingly, I am taking the liberty of forwarding your letter to him.

I would like to take this opportunity, however, to make two observations. First, I note that no difficulties have been encountered to date. Secondly, there is no statutory provision for admissibility of consolidations of provincial statutes and regulations and I would be reluctant to recommend such a provision in the provincial Evidence Act.

8(a)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 July 12
COMM FILE:
DEPT FILE:

SUBJECT:

Taoist Tai Chi National Awareness Day

RECOMMENDATION:

That the request of the Taoist Tai Chi Society of Canada, Hamilton Branch, for permission to use the City Hall forecourt to stage a Tai Chi demonstration as a fund raising event for the Arthritis Society of Canada on Sunday, 1989 August 27 from 1:00 o'clock p.m. to 2:00 o'clock p.m., **be approved**.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A Staff overtime not required.

BACKGROUND:

The Hamilton Tai Chi Association used the City Hall forecourt in 1988 for the same event.

8(b)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 July 12
COMM FILE:
DEPT FILE:

SUBJECT:

Children's International Learning Centre

RECOMMENDATION:

That the request of the Children's International Learning Centre for permission to use the City Hall Council Chambers on Sunday, 1989 November 19 for a short ceremony to celebrate the beginning of its twentieth year of service in this community, **be approved**.

John Thompson

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

Application has been made to the Grant Review Group for a grant to cover the costs of refreshments and staff time.

BACKGROUND:

Lieutenant Governor Lincoln Alexander will be participating in this event.

9.

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 July 12
COMM FILE:
DEPT FILE:

SUBJECT:

Annual Labour Day Parade, 1989 September 04

RECOMMENDATION:

(a) That approval be given to the request of the Hamilton and District Labour Council for the City to erect a reviewing stand on the west side of Locke Street, midway of the grounds of Victoria Park, for the annual Labour Day Parade on Monday, 1989 September 04.

(b) That funding for staff overtime is provided from Account No. CH55222 10034, Use of City Hall facilities and equipment by outside groups.

John Thompson

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

Approximately $275 for staff overtime

BACKGROUND:

It has been traditional for the City to provide a reviewing stand for the Annual Labour Day Parade.

10.

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: E. A. Simpson
City Clerk

DATE: 1989 July 12
COMM FILE:
DEPT FILE:

SUBJECT:

Request to use the name "Hamilton".

RECOMMENDATION:

That the request of Mr. Christopher C. Breen, Solicitor for permission to include the name "Hamilton" in the proposed incorporation of a corporation without share capital for "Olde Guard Historical Society of Hamilton" **be approved**.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

The objects of the Company will be historical preservation, historical society.

CITY COUNCIL
HAMILTON, CANADA

Brian Hinkley
Alderman Ward 3

71 MAIN STREET WEST L8N 3T4 • (416) 526-2730 • RES. (416) 572-7500

July 12, 1989

Mr. John Thompson
Secretary
Legislation Committee

Dear Mr. Thompson:

RE: Report on the FCM Conference
June 9-12, 1989
Vancouver, British Columbia

Please find attached a report on the Federation of Canadian Municipalities Conference.

I would request that this report be placed on the agenda of the July 17th meeting of the Legislation Committee.

Your co-operation in this regard is very much appreciated.

Yours truly,

Brian Hinkley
Alderman, Ward 3

rd
Attch.

cc: Mayor Robert Morrow
cc: Alderman Dominic Agostino
cc: Alderman David Christopherson
cc: Alderman Terry Cooke
cc: Alderman Don Drury
cc: Alderman Wm. McCulloch
cc: Alderman Tom Murray

PRE-CONFERENCE WORKSHOP

Evaluating Your Chief Administrative Officer

This workshop focused on the question of performance appraisal of Chief Administrative Officers. The following points were discussed:

- What is meant by the terms "performance appraisal" and "performance management"?
- Is performance appraisal necessary at the level of the Chief Administrative Officer?
- Why don't politicians like to conduct performance appraisals of the Chief Administrative Officer?
- What techniques for measuring performance have been used?
- What techniques have worked and have not worked?
- How does performance appraisal relate to compensation?
- Who should do the performance appraisal of the CAO? Is termination the only answer to poor performance?
- What are some of the legal implications relating to evaluating the CAO including how the appraisal is recorded and related issues relevant to dismissal, changes in the terms of employment, defamation of character, employment standards and employment contracts?
- Is the employment contract a new approach to ensuring regular performance reviews? Will this be a common practice in the future for the Chief Administrative Officer?

This was a good workshop with many interesting speakers. The following resolution was up for debate:

> "RESOLVED that a formalized, annual performance appraisal of the Chief Administrative Officer be a mandatory component of the Council-Chief Administrative Officer arrangement or agreement".

At the end of the workshop the above resolution was overwhelmingly accepted.

WORKSHOPS THROUGHOUT THE CONFERENCE

The workshops received mixed reviews from the delegation. Some workshops were of a high quality and the participants enjoyed lively discussion with solid content and information being provided. Several other workshops were extremely boring and provided very little food for thought. One of the difficulties of attending a conference of this nature is never really knowing whether the workshop is going to reach the level of expectation.

One readily recognizes however the quality of our own people when we attend these workshops. It is very clear that our department heads and employees possess specialized skills of a very high calibre that far exceed the norm across the country. The City of Hamilton or the Region of Hamilton-Wentworth could easily package similar workshops here in Hamilton and produce an extremely high level of expertise. We probably sell ourselves far too short in recognizing the skills and abilities of our own employees.

PHYSICAL ARRANGEMENTS

Most of the conference took place at the Hyatt Regency Hotel. The arrangements could best be described as adequate. Many of the functions, luncheons, etc. resulted in long lineups with people waiting impatiently to enter the rooms. We have never seen as many delegates standing in line waiting to move onto the next function.

The local arrangements committee were much better organized and people were always available to assist.

SPEAKERS

The main speakers at the plenary sessions included such people as: The Right Honourable John Turner, Leader of the Official Opposition; The Honourable Ed Broadbent, Leader of the New Democratic Party; and Mr. Mike Duffy. It was obvious that Mr. Duffy provided the most interesting address to the conference.

RESOLUTIONS

The City of Hamilton resolutions and the Region of Hamilton-Wentworth resolutions included matters on the Young Offenders Act, boating safety and the tragedy occurring in China.

Young Offenders Act

> "WHEREAS that the Government of Canada undertake a major review of the Young Offenders Act; and
>
> WHEREAS that this review also involve public hearings across the country; and
>
> WHEREAS that as part of the review, the Government of Canada consider setting a minimum age whereby juveniles charged with murder be tried in adult court;
>
> BE IT RESOLVED that a copy of this resolution be forwarded to the Federation of Canadian Municipalities and the Association of Municipalities of Ontario."

Submitted by: City of Hamilton, Ont.

Amendments to Young Offenders Act

"WHEREAS Canadian municipalities provide millions of dollars to maintain law and order in their community; and

WHEREAS Canadian municipalities have a fundamental responsibility to provide a safe and secure neighbourhood for all their citizens; and

WHEREAS the Young Offenders Act, a statute of the Government of Canada, contains current provisions which endanger the stability of urban neighbourhoods; and

WHEREAS that the Department of Justice has undertaken a major review of the Young Offenders Act and that this review involve public hearings across the country;

BE IT RESOLVED that the Federation of Canadian Municipalities urge the Government of Canada to set a minimum age whereby juveniles charged with murder be tried in adult court; and

BE IT FURTHER RESOLVED that the Federation of Canadian Municipalities urge the Government of Canada, as part of the review, to examine the leniency of sentencing, confidentiality and the release of young offenders into communities; and

BE IT FURTHER RESOLVED that the Federation of Canadian Municipalities participate in the public consultation undertaken by the Government of Canada regarding the Young Offenders Act."

This consolidated resolution incorporates the intent of resolutions submitted by the City of Etobicoke (with the support of the City of Barrie, County of Hastings, the Town of Midland the Village of Belton) and the City of Hamilton, Ont.

This resolution was adopted by the Conference.

Boating Safety

"BE IT RESOLVED that the Federation of Canadian Municipalities urge the Government of Canada, and through provincial/territorial municipal associations, urge provincial/territorial governments to study the matter of boating safety and the operator's knowledge and ability to perform safely in and through Canada's waterways in instituting a system of testing and licencing of vessels over 10 h.p.

Submitted by: City of Hamilton, Ont.

The conference ran out of time and could not deal with this resolution.

China

"At this moment in history the Regional Municipality of Hamilton-Wentworth, on behalf of all its people, wish to express to our fellow citizens of Chinese heritage our heartfelt sympathy and support for their friends and families in China in the face of the tragic events now occurring there.

The efforts of the Chinese people to move forward in their striving for true democracy such as we in Canada enjoy is fully supported by all Canadians and we are truly saddened that the lives of the brave Chinese people who stand in the forefront of this democratic movement to obtain their freedoms are being threatened, indeed in many cases taken, by those who would try to deny them those rights.

We fervently hope that the great, historic nation of China can adapt to and accept this logical progression of democratic freedom for its people without further bloodshed."

The delegates from the City of Hamilton and the Region of Hamilton-Wentworth could not have been more frustrated with the FCM Executive on this very important resolution. We received nothing but stonewalling, lame excuses and people ducking this issue. Our attempts to have the matter debated on the conference floor were totally frustrated. This was surely the lowest point in the FCM Conference.

In short, the Federation of Canadian Municipalities shirked their responsibilities on such a pressing issue to the freedom-loving people around this world.

Attached to this report are several newsclippings which deal with matters that took place at the conference.

CONCLUSION

The Federation of Canadian Municipalities is certainly a valuable organization in pursuing the needs of communities across our country. The City of Hamilton should continue to play a prominent role in this organization. To this end, it would be appropriate to request the FCM Executive to approve the conference to come back to Hamilton at some time in the future.

Attch.

Ottawa's cost-sharing scorned

PM's absence from meeting 'a slap in the face'



CITY VISION
Report from Vancouver

By KEN PETERS The Spectator

VANCOUVER — The "Big Fix" remains a bust and the federal government is to blame, Canada's two federal opposition party leaders told municipal politicians yesterday.

Liberal leader John Turner and New Democratic Party leader Ed Broadbent blasted the Mulroney government for its failure to pay a portion of the $15 billion required to upgrade municipal infrastructure.

The Federation of Canadian Municipalities, whose 52nd annual meeting ends today, has proposed a "big fix" solution to the infrastructure problems involving a cost-sharing program between federal, provincial and municipal governments.

Speaking before 1,200 delegates — the largest gathering of Canadian municipal politicians — both party leaders said the federal government can't be counted on to help upgrade deteriorating municipal roads and water and sewer systems.

"The Mulroney government has refused to endorse a municipal infrastructure program," Mr. Turner said. "I don't know why the Mulroney government ignores one of the biggest environmental challenges, the environmental challenge in our own towns and cities."

The Liberal leader said Mr. Mulroney failed to address the infrastructure issue during his visit to Vancouver last week.

"It's not an accident he did not stick around for your conference," Mr. Turner said, eliciting hoots from the floor.

Hamilton Alderman Dominic Agostino, one of eight city council members, called the prime minister's absence from the conference "a slap in the face" to municipal politicians.

"That's typical of a gutless prime minister who can't face the public. I don't think he gives a damn about us here," the Hamilton alderman said.

Mr. Turner also seized the opportunity to roast the government's recent housing program cutbacks.

"As house prices continue to skyrocket out of reach the Mulroney government pursues a high interest rate policy that pushes the dream of owning your own home even further away.

"I have never seen a government in the country better at rhetoric and less formidable in solutions," Mr. Turner added.

In his address later in the morning, Mr. Broadbent said federal funding for infrastructure has virtually ceased over the past five years.

"The federal government has told municipalities to plug their own leaks and fill their own cracks," he said.

The New Democrat said if urban infrastructure is allowed to deteriorate, the total repair bill will soar by as much as 75 per cent.

"That is the real legacy the Progressive Conservative government is leaving for future generations in Canada," he said.

In an unrelated move, Mr. Turner and Mr. Broadbent criticized the government's proposal to slash funding for deficit-ridden VIA rail.

Their comments on that issue earned the applause of delegates who earlier had backed a Mississauga council emergency motion calling on the federal government to preserve the troubled passenger rail line.

Education key to NIMBY: consultant

VANCOUVER — It takes time, money and patience but the Not-In-My-Back-Yard (NIMBY) syndrome can be overcome, Canadian municipal leaders heard at a seminar.

"I believe ongoing education and incredible patience are the absolute keys," Calgary community relations consultant Dave Whitfield told a Federation of Canadian Municipalities session yesterday.

Mr. Whitfield, who succeeded in locating an Alberta special waste facility in Swan Hills six years ago, told delegates NIMBY is a "pervasive social trend" that has become common across the country.

"It's an attitude we have that we tend to look negatively at things. It's to the point where people will question almost anything and you have to recognize the most basic human concerns," he said.

Mr. Whitfield said politicians can't rely on technical information to ease people's fears about a new project for their neighborhood.

"Citizens are, in most cases, afraid of the unknown and fear that a facility will threaten one or more aspects of their lives. The fears, valid or invalid, cannot be satisfied by technical assurances alone," he said.

Mr. Whitfield said a high level of support, including educational materials, advice and moral support, is needed to reassure residents.

"Remember, these people are really sticking their necks out for the cause and will still have to live there after it's over," he said.

The Calgary consultant recommended municipalities hold seminars to educate residents and the media on the issue. And, he added, make sure every question receives an answer.

"No matter how bizarre, ensure that every question is investigated and given a serious answer as soon as possible," he said.

Media co-operation is another key element in the NIMBY battle.

Mr. Whitfield told municipal representatives to take an active approach to the media and provide information rather than react to misinformation.

"The media has an obligation to report both sides of an issue but if they only have one party who is communicating, a balanced report is unlikely," he said.

The NIMBY battle tactics can be time consuming and expensive but those are costs municipalities can't afford not to pay, he said.

"It is an expensive process but when you equate that to what the alternative is, that's often unacceptable."

PM's inaction threatens life of our cities Turner charges

By Kathleen Kenna Toronto Star

VANCOUVER — Prime Minister Brian Mulroney has signed a death warrant for Canadian cities that leaves them destined to copy the decay of America, says Liberal leader John Turner.

And cutbacks to VIA Rail, Canada Post, housing and social programs prove the federal government is "shutting down rural and small-town Canada," Turner said to loud applause yesterday at the annual meeting of the Federation of Canadian Municipalities.

He charged that Mulroney has ignored the country's greatest crisis by refusing to help communities with the $15 billion they need over the next five years to repair and build bridges, roads, water mains and sewage treatment systems.

Canada's premiers and mayors have unanimously endorsed a three-way split of the bill for this so-called Big Fix, but the federal government maintains the cost should be shared between provinces and municipalities.

☐ Mayors demand meeting with PM over VIA cuts. Page A10

"I don't know why the Mulroney government, which says it's committed to sustainable development, can ignore the greatest environmental challenge of all — the environmental challenge of our cities and towns," Turner said.

Raw sewage

He noted the Atlantic provinces continue to dump raw sewage into the ocean, and many sewage treatment plants in Canada's largest cities don't meet provincial or federal standards.

"The longer we wait, the more it's going to cost," he warned. "The longer we wait, the more our cities will be heading for the state of disrepair of the great cities south of the border."

The Liberals support a three-way sharing of the costs, and estimate the massive project would create 330,000 jobs, Turner said.

New Democrat leader Ed Broadbent, who also addressed the 1,200 delegates yesterday, called Canada's decaying road systems and poor sewage treatment plants a "national disgrace."

He joined Turner in urging the federal government to pay a one-third share of urban rebuilding, saying it's an investment that will pay off well in the future.

And to save VIA Rail, he said Mulroney should follow the example of the country's largest corporation.

PM absent

General Motors invested $2 billion in the past two years to modernize its auto plants in Broadbent's home riding of Oshawa. This is what's needed to make VIA competitive, he said.

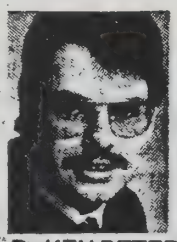
Mulroney has been criticized repeatedly throughout this four-day convention for his failure to join the city rebuilding scheme.

Mulroney was also publicly rebuked by federation leaders for refusing to attend this meeting, which organizers claim is the largest gathering of municipal politicians in Canadian history.

"It's not an accident he didn't stick around," although Mulroney was already in Vancouver to meet area Tories, Turner said.

He later said the Tories presented a budget of "broken promises, deception and mismanagement," forcing cities and towns to "make less money cover more issues" as once-national programs are shifted to lower levels of government.

Hamilton gives minister chorus of boos



CITY VISION
Report from Vancouver

By KEN PETERS The Spectator

VANCOUVER — Ontario municipal politicians, still smarting over provincial funding cutbacks, gave Ontario Municipal Affairs Minister John Eakins a chilly reception yesterday.

In fact, some Hamilton aldermen actually booed Mr. Eakins part way through his speech on infrastructure funding before delegates of the 52nd annual Federation of Canadian Municipalities Conference.

"Eakins did not go over well at this table. We felt it was hypocritical of him to come here and talk about co-operation after the province had finished running a sword through municipal taxes," Hamilton Alderman David Christopherson said.

The Hamilton council member admitted he and colleagues Terry Cooke and Tom Murray vocally expressed their displeasure with the minister's statements. "He was booed from this table. We were expressing our feelings about the hypocritical comments he was making and it was shared by the delegates around us," Mr. Christopherson said.

The Hamilton representatives were incensed that Mr. Eakins talked about the need for co-operation among all levels of government, in light of recent provincial funding cutbacks to municipalities.

"For him to talk about the need for co-operation is the height of hypocrisy," Mr. Christopherson said.

"There was a bit of that," Mr. Cooke said of the Hamilton chorus of boos that greeted the minister's comments.

■ More stories on C3

"I think we felt we have a minister who was less than forthright. I think it was a matter of frustration and we voiced it," he said.

Across the hotel ballroom, which was filled by several hundred municipal politicians, Burlington politicians also scoffed at Mr. Eakins' presentation.

"He didn't get any positive response from the Ontario delegates. I was not impressed with Mr. Eakins," Burlington Alderman Walter Mulkewich said. "He was certainly not popular."

In his speech Mr. Eakins told municipal politicians to accept the fact that financial restraint is at the core of the infrastructure crisis.

"So pointing fingers at one another will not solve the problem; joining hands in partnership and mutual understanding will.

"It's far better to light a candle, as the saying goes, than to sit and curse the darkness."

Mr. Eakins admitted that a number of Ontario municipalities were unhappy with his government's contribution to infrastructure funding.

"I wouldn't attempt to hide the fact that not all our municipalities are happy with the province's contribution. I recognize it's not enough. We've still a long way to go."

But the minister said the province expects those who benefit from new public infrastructure to bear some of the costs.

That was the rationale for implementing a Commercial Concentration Levy for owners of large commercial properties in the Greater Toronto area.

Mr. Eakins completed his speech by appealing to municipal leaders to help "re-open" infrastructure funding discussions with all three levels of government.

Mayors demand to see PM over VIA

By Kathleen Kenna Toronto Star

VANCOUVER — Warning that VIA Rail cutbacks will kill off many communities, Canada's mayors are demanding an immediate meeting with Prime Minister Brian Mulroney and Transport Minister Benoit Bouchard.

A strong Save VIA Rail campaign exploded at an emergency meeting of the Federation of Canadian Municipalities yesterday, when Mississauga Mayor Hazel McCallion led the charge of mayors pleading for the life of Canada's train services.

At least 7,500 rail workers will lose their jobs if VIA is shut down, but many more in the tourism industry also will be left jobless, the federation warned in a statement to Mulroney.

"Elimination of rail service in this country is about to happen," McCallion said in a fiery speech urging mayors to do all they can to save VIA.

Finance Minister Michael Wilson has said VIA's financial support will drop to $250 million in 1992 from $600 million last year.

Mayors from coast to coast at the annual convention blasted the federal government for proposed VIA cutbacks, and many made passionate speeches about the place of rail service in Canada's history.

The federation wants the federal government to upgrade VIA equipment and improve its funding so the service is more competitive with other transportation, McCallion said.

She warned that traffic diverted from rail to roads and airways will overload already strained systems. An extra 70 planes a day will land at Pearson International Airport if VIA is cut back, she said.

Mayors also want a meeting with Environment Minister Lucien Bouchard to look at the pollution and other ecological damage posed by increasing traffic



CHRIS HELGREN FOR THE TORONTO STAR

BET PAY-OFF: Montreal Mayor Jean Dore wears Calgary Flames sweater presented by Calgary Mayor Don Hartman during a meeting in Vancouver yesterday.

Mayors walk to raise funds for Africa

By Kathleen Kenna Toronto Star

VANCOUVER — Seventy mayors from across Canada joined Vancouver Mayor Gordon Campbell's fundraising Walk for Africa yesterday, but only one Metro-area politician went along.

And only seven of the 30 Ontario mayors in Vancouver for the annual meeting of the Federation of Canadian Municipalities were at the starting line for the 16-kilometre (10-mile) mayors' walk around Stanley Park.

About 900 people followed Campbell on his second annual walk to raise money for health care, education, water, food, immunization and rural development in Africa.

Six civic leaders from Cameroon, Ghana, Tanzania and Botswana also joined the march, which drew mayors from Prince Edward Island to the Yukon.

Campbell's first walk last year raised $125,000, and organizer Ann Collette said she hopes that amount will be doubled this year.

Every dollar that goes to 18 church and international relief groups is matched by another $3 in foreign aid from the federal government.

Vancouver lawyer Suzanne Anton went on the walk with her three young children.

"I had hoped more people would be here because it's such a worthy cause," she said. "People don't realize how important the Third World is to us, the difference it would make to us if Africa wasn't suffering."

Toronto Councillor Tony O'Donohue was the only one of 25 Metro-area politicians at this convention who went on the walk.

Mayors declare drunk driving a 'national crisis'

By Kathleen Kenna Toronto Star

VANCOUVER — Canada's municipal politicians have declared drunk driving a "national crisis" and are demanding tougher penalties.

About 1,200 mayors and other civic politicians voted unanimously yesterday to ask the federal government to also publicly denounce drunk driving as a national crisis and do more to stop the carnage on Canadian highways.

"For every person caught (for impaired driving) on our roads, 1,000 are getting away," Toronto Councillor Chris Korwin-Kuczynski said to loud applause, after introducing the declaration at the annual meeting of the Federation of Canadian Municipalities.

While the federation wasn't specific about the tougher penalties it's seeking, Korwin-Kuczynski called for a lifetime driving ban for anyone convicted of drunk driving.

Under current law, the minimum penalty for impaired driving on the first offence is three months' licence suspension and a $300 fine. A second offence means a suspension of six months to three years, and an automatic jail sentence of at least 14 days.

"Alcohol albuse is the Number 1 drug problem in Canada and we're not doing enough about it," Korwin-Kuczysnki said in an interview later. "It's an alarming situation and I don't think we have a good handle on it."

A lifetime ban for drunk drivers would get across the message that "we're going to be very, very tough," Korwin-Kuczysnki said. "The problem in this country is that we're too lax with our laws."

Neither governments nor police are doing enough to crack down on drunk drivers, whose numbers continue to increase each year, the federation said in a formal statement.

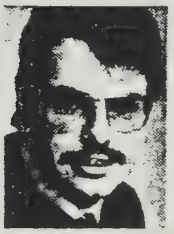
Police should make RIDE (Reduce Impaired Driving Everywhere) campaigns a year-round effort, instead of concentrating on Christmas revellers, Korwin-Kuczysnki said. (Police in Metro and surrounding regions, as well as the Ontario Provincial Police, do operate year-round RIDE programs, with more intensive crackdowns during Christmas and other holiday seasons).

Korwin-Kuczysnki also called on the federal government to make it mandatory for beer and liquor companies to devote a certain percentage of their advertising budgets to anti-drinking and driving campaigns.

More money should also be spent on rehabilitation for alcoholics, because "treatment programs are deplorable in this country," he said.

The four-day meeting ends today.

Municipal politicians set to tackle common ills



CITY VISION
Report from Vancouver

By KEN PETERS The Spectator

VANCOUVER — From potholes to teenage pot use, the largest-ever contingent of Canadian municipal politicians today begins tackling common problems facing their communities.

With the arrival over the past two days of more than 1,200 delegates and 600 spouses, the 52nd annual Federation of Canadian Municipalities Conference is expected to surpass the record attendence figures set last year in Halifax, conference manager Birte Ertmann said.

Opens today

More than 300 municipalities are expected to be represented at the three-day conference that opens here today.

The conference will also have some 30 Hamilton- and Halton-area representatives in attendance, including mayors from Hamilton, Dundas, Flamborough, Burlington, Oakville, Milton and Halton Hills.

Hamilton Mayor Bob Morrow, one of nine Hamilton-area representatives in attendence, calls FCM the country's leading municipal conference.

"It is the national municipal voice. It's a vehicle for a whole range of activities to take place that might not be held otherwise," he said.

Mr. Morrow will chair a workshop today on the effect new immigrants have on municipalities.

Some of the issues to be discussed include sustainable economic growth, the not-in-my-backyard syndrome, the aging population, teenage drug use, the municipal infrastructure, and strategic planning.

The latter issue includes a presentation this afternoon by Burlington Mayor Roly Bird of his city's Future Focus strategic plan to the year 2,000.

Alderman Joyce Savoline, who served on the strategic planning committee, said to her knowledge, the presentation marks the first time a Burlington initiative has been showcased on a national scale.

Proud

"It's an incredibly proud moment for us and one of the reasons so many of our representatives (11 council members and one staff member) wanted to be there to promote the plan.

"I wouldn't miss this for the world. This is the biggest profile Burlington has had at a conference to my knowledge. I think that's really special," she said.

The closing sessions Monday are to include keynote addresses by federal Liberal leader John Turner and federal New Democrat Party leader Ed Broadbent.

Drug use stats shock area aldermen



CITY VISION
Report from Vancouver

By KEN PETERS · The Spectator

VANCOUVER — One in every 10 grade 12 students in a suburban Vancouver high school uses cocaine regularly.

In the Bloor and Crawford Street area of Toronto, crack traffickers "totally disrupted" the neighborhood for months.

And in the tiny Quebec town of Saint-Joseph-de-Beauce, two drug-related suicides in the course of only a few weeks devastated an entire community.

Three Canadian communities.

Three major drug abuse problems.

But in each case community involvement in the drug problem is making a difference, delegates at the 52nd annual Federation of Municipalities of Canada were told Saturday.

"The problems are increasing and they have the potential to become more violent," said Gordon Hogg, mayor of White Rock, B.C., near Surrey, and director of the Willingdon Youth Detention Centre.

British Columbia statistics reveal that 13.7 years is the average age when students first try cocaine. The average age for first time alcohol consumption is 11, Mr. Hogg told delegates.

Those statistics shocked Hamilton and Burlington aldermen attending the workshop.

"I'm horrified to hear the ages and that kids 11 and under are taking drugs and drinking," said Hamilton Alderman Bill McCulloch.

The chairman of the Hamilton-Wentworth police commission, Mr. McCulloch said he plans to discuss the B.C. statistics with Hamilton-Wentworth Police Chief Colin Millar.

"I'm going to tell him I've heard some devastating statistics and ask if he can bear those out."

While he considers Hamilton to have a fairly serious drug problem, he believes an increase in drug enforcement police officers has the situation in hand.

"It's never fully under control but its contained," he said.

Burlington Alderman Rob Forbes said teenage drug problems in his community "are far more underground. But if what I hear from these communities is true, then it may not be underground for long."

He was astounded to learn that boys as young as 13 would be taking drugs.

Mr. Hogg said municipalities can no longer rely on education to curb drug problems in their communities.

"Information is only the answer when ignorance is the problem. Adolescents believe they are omnipotent. They feel they won't die. It won't happen to them."

Mr. Hogg encouraged municipal politicians to become involved in community task forces which work with adolescents.

"Youths are a lot like airplanes. You seem to hear about them only when they crash. We must build better runways and better control towers."

Toronto consultant Charles Barnes, a member of the Bloor-Crawford Working Group, told delegates to be imaginative and persistent in their battle against drugs.

"Be persistent. Drug traffic will not go away tomorrow. There is no quick-fix solution to it."

Alderman Jean-Marie Labee of Saint-Joseph-de-Beauce said a community task force was set up after the family of a drug-related suicide victim asked the media to publicize the nature of the death.

Housing minister urges municipalities to 'squeak'

VANCOUVER — Canada's national housing minister has called on municipal leaders "to squeak and squeak loudly" for federal funding for housing projects.

Canada's Minister of State for Housing Alan Redway told representatives of the 52nd annual Federation of Canadian Municipalities conference some housing initiatives, such as co-operative housing, have been victims of government funding cutbacks.

But in response to a question from the floor, Mr. Redway said a recent poll revealed 67 per cent of Canadians feel the environment is an extreme priority while only 22 per cent expressed the same sentiment for housing.

Mr. Redway said the "squeeky wheel" syndrome applies in this case.

"I urge you to squeak and to squeak loudly on the question of housing," he told several hundred delegates yesterday.

The federal MP from Don Valley East said he plans to establish continuing committees of federal, provincial and municipal officials that will "fine tune" federal housing projects to meet the needs of local communities.

Mr. Redway said Vancouver and Toronto — two communites which house one quarter of Canada's population — remain the housing "hotspots" in the country.

And he warned the affordable housing problems in those two communities could soon be shared by other Canadian municipalities.

What is necessary is an elimination of government red tape, including 280 provincial acts, 400 regulations and 460 codes which control housing issues in the country, the minister said.

But Mr. Redway said a more positive attitude towards housing on the part of Canadian municipal politicians is also required.

He recently read a newspaper article about a city council which rejected a duplex housing project.

"One of the councillors said a duplex owner can't be counted on to cut their grass uniformly. That left a nasty impression with me."

Mr. Redway said a public education campaign is necessary to change people's attitudes on the housing issue.

"A public education campaign is necessary to replace Nimby — the Not-In-My-Backyard syndrome with Yimby — the Yes-In-My-Backyard syndrome. That's a job for all of us but municipalities must be the real leaders."

The minister's comments were encouraging to both Hamilton and Burlington housing leaders.

"I'm encouraged," Alderman David Christopherson, chairman of the fledgling Hamilton-Wentworth Housing Task Force.

"When I say I'm optimistic it's in the context that the track record of the federal government (for housing) has been absolutely abysmal. Mr. Redway is new in his position and I'm prepared to give him the benefit of the doubt. I will ask that he put actions behind his words," Mr. Christopherson said.

"Never mind squeaking," he said in reference to the minister's comment. "We'll give him a roar."

Burlington Alderman Walter Mulkewich, chairman of the Halton Non-Profit Housing Corporation, said Mr. Redway revealed his sympathies are in the right place.

"I think his heart is in the right place. Unfortunately he is part of a government that is determined to get out of the business of providing programs to ensure there is a mix of housing," he said.

Public myopic over immigrants: economist

VANCOUVER — An audible gasp came from the audience of Canadian municipal politicians when Don Devoretz recalled the telephone caller's question.

A Simon Fraser University economist, Mr. Devoretz had just completed a seven minute radio interview on the effects immigrants have on municipalities when his telephone rang.

"The caller asked 'were you the guy just on the radio?' I said 'yes'. Then he said 'what are you, some kind of nigger lover?'"

Mr. Devoretz told delegates of the 52nd Federation of Canadian Municipalities Conference on Saturday the caller's comment is indicative of an "underlying current of friction" that many Canadians feel when asked about immigration.

"If you read the Globe and Mail, the Vancouver Sun or the Ottawa Citizen three questions always reappear. Do immigrants take away my job? Are immigrants a drain on the treasury and do immigrants over use our social programs?"

Mr. Devoretz said research he has completed on post 1971 immigrants using the 1981 and 1986 census figures reveals the answer to each of the questions is an overwhelming 'no.'

He said the data indicates foreign-born families pay between $800 to $2,000 more in taxes than they take out in services.

"Immigrants after eight to 10 years tend to out earn us. They catch up and surpass us so naturally they will pay more in taxes," he said.

Census figures also reveal immigrants tend to create slightly more jobs than they take away.

And foreign-born residents also "out-save" Canadian-born residents, the economist said.

But Mr. Devoretz said it is difficult to overcome the public perception.

"The public is very myopic. They see waves of immigrants coming in and being a burden on the public treasury. All the evidence is if we wait long enough they will out-perform all of us," he said.

Mr. Devoretz said a comment he received last October when he gave a similar speech to the Ontario Chiefs of Police Association was telling.

"This police chief said he liked my talk but he said 'it (immigration) is a Toronto problem. We don't care.'"

Hamilton Mayor Bob Morrow, who chaired the meeting, said afterwards he would like to encourage recent immigrants to settle in Hamilton rather than Toronto.

"We have to grow. Hamilton is growing again but we have to fight the magnetism of Toronto. We need growth and that includes people from various magnitudes," he said.

But Peel Regional chairman Frank Bean said federal government delays in issuing work permits for immigrants is causing a number of problems in his municipality.

Peel paid out almost $650,000 in welfare to refugees in 1988 because many of them found delays in obtaining work permits to fill job vacancies, he said.

"We have the jobs available. My problem is getting the work permits to put them to work," he said.

Montreal Alderman Abe Limonchick said the problem with Mr. Devoretz statistics is that racists resent that information.

"Many people in a community may not want to provide aid to immigrants because they will out-perform us," he said.

CA4 ON HBL A05
C51L2
1989

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

2nd floor

MRS. J. MCANANAMA
C.E.O.
HAMILTON PUBLIC LIBRARY

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 August 15

N O T I C E O F M E E T I N G

Legislation Committee
Monday, 1989 August 21
9:30 o'clock a.m.
Room 233, City Hall

John Thompson, Secretary
Legislation Committee

JT:mjw

URBAN MUNICIPAL
AUG 22 1989
GOVERNMENT DOCUMENTS

A G E N D A

A. DELEGATIONS

11:00 o'clock a.m. - TAXI INDUSTRY
Consideration of balance of Report
of the Taxicab Legislation Review Committee

1. Approval of the Minutes of the Meeting of the Legislation Committee held 1989 July 17.

2. MAYOR ROBERT M. MORROW

(a) Civic Reception for the International Olympic Committee Members at the Hamilton Airport

(b) Civic Reception for the Ontario Advisory Council on Multiculturalism and Citizenship

(c) Civic Luncheon and Refreshments for the Ontario Arts Council Board Visit in Hamilton on Thursday, 1989 September 21

I

3. ESTABLISHMENT OF TAXI ADVISORY COMMITTEE

4. ESTABLISHMENT OF SPECIAL AD HOC COMMITTEE TO REVIEW AND FINALIZE RECOMMENDATIONS ON THE FORMER TASK FORCE ON CIVIC AWARDS

5. SCHOOL SUPPORT CHANGE

38 Emerson Street

6. USE OF CITY HALL FACILITIES

(a) Photographic Exhibit - "Israel Today 4 000 + 40 Years of History"

(b) Hamilton Baseball/Softball Council

(c) International Joint Commission

(d) The Lung Association - Christmas Seal Campaign - flying of flag

(e) Ontario Advisory Council on Multiculturalism and Citizenship

(f) Display of Money Dress - Sorman's Fashions and the Leman Brothers Muscular Dystrophy Foundation

7. CIVIC AWARDS

(a) Quincy and Terry Hamilton - Canoeing

(b) Members of the Conqueror II Drum and Bugle Corps

(c) Mr. Mark Orzel - Cycling

(d) Youth Bowling Council Bowlers

8. CORRESPONDENCE

(a) City of Vanier - Setting up a Francophone Association to be Recognized as a Member of the A.M.O.

(b) "Decisions for The Great Lakes" Courses (Information Only)

9. ALDERMAN D. DRURY

Citizenry to City Council

10. RESOLUTION - TOWN OF PARIS

To Permit Municipalities to Levy, on Tax Exempt Properties, a Special Rate to Recover the Cost of Fire Protection

11. NEW BUSINESS

12. ADJOURNMENT

CA4 ON HBL A05
C5IL2
1989

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 August 15

URBAN MUNICIPAL
AUG 23 1989
GOVERNMENT DOCUMENTS

NOTICE OF MEETING

Legislation Committee
Monday, 1989 August 21
9:30 o'clock a.m.
Room 233, City Hall

John Thompson, Secretary
Legislation Committee

JT:mjw

AGENDA

A. DELEGATIONS

11:00 o'clock a.m. - TAXI INDUSTRY
Consideration of balance of Report
of the Taxicab Legislation Review Committee

1. Approval of the Minutes of the Meeting of the Legislation Committee held 1989 July 17.

2. MAYOR ROBERT M. MORROW

(a) Civic Reception for the International Olympic Committee Members at the Hamilton Airport

(b) Civic Reception for the Ontario Advisory Council on Multiculturalism and Citizenship

(c) Civic Luncheon and Refreshments for the Ontario Arts Council Board Visit in Hamilton on Thursday, 1989 September 21

3. ESTABLISHMENT OF TAXI ADVISORY COMMITTEE

4. ESTABLISHMENT OF SPECIAL AD HOC COMMITTEE TO REVIEW AND FINALIZE RECOMMENDATIONS ON THE FORMER TASK FORCE ON CIVIC AWARDS

5. SCHOOL SUPPORT CHANGE

38 Emerson Street

6. USE OF CITY HALL FACILITIES

(a) Photographic Exhibit - "Israel Today 4 000 + 40 Years of History"

(b) Hamilton Baseball/Softball Council

(c) International Joint Commission

(d) The Lung Association - Christmas Seal Campaign - flying of flag

(e) Ontario Advisory Council on Multiculturalism and Citizenship

(f) Display of Money Dress - Sorman's Fashions and the Leman Brothers Muscular Dystrophy Foundation

7. CIVIC AWARDS

(a) Quincy and Terry Hamilton - Canoeing

(b) Members of the Conqueror II Drum and Bugle Corps

(c) Mr. Mark Orzel - Cycling

(d) Youth Bowling Council Bowlers

8. CORRESPONDENCE

(a) City of Vanier - Setting up a Francophone Association to be Recognized as a Member of the A.M.O.

(b) "Decisions for The Great Lakes" Courses (Information Only)

9. ALDERMAN D. DRURY

Citizenry to City Council

10. RESOLUTION - TOWN OF PARIS

To Permit Municipalities to Levy, on Tax Exempt Properties, a Special Rate to Recover the Cost of Fire Protection

11. NEW BUSINESS

12. ADJOURNMENT

OUTSTANDING ITEMS
LEGISLATION COMMITTEE

	ITEM	ORIGINAL DATE	ACTION	STATUS
1.	Review Civic Award Policy and Regulations	1988 December 05	Legislation Committee	Report to Follow
2.	Policy for Special and Public Meetings	1989 January 23	Staff	Report to Follow
3.	Policy for Use of Council Chambers	1989 January 23	Staff	Report to Follow
4.	Police Report on Licencing Function	1989 January 23	Regional Police	Report Pending
5.	General Public Review of Licencing By-law No. 79-323 Re Taxis and Livery Vehicles	1989 January 23	Taxi-cab Legislation Review Sub-Committee	Review Proceeding Public Meeting 1989 April 24
6.	Street Vendors Permit South West Corner King and James Streets	1989 April 13	Manager, Licencing Division	Report Pending
7.	Per Diem Rate	1989 April 13	Treasurer	Report Pending
8.	Gun Shop Operations	1989 June 19	Planning and Development Committee	Review Proceeding
9.	Licencing Tobacco Outlets	1989 June 19	Staff	Reports Pending
10.	Transient Flower Vendors	1989 June 19	Manager, Licencing Division	Report Pending
11.	Handbill Distributors	1989 June 19	Sub-Committee	Report Pending

12.	Election Procedures	1989 June 19	City Clerk	Report Pending
13.	Prohibition and Regulation of Fireworks	1989 July 17	Fire Chief	Report Pending
14.	Review of Civic Gifts	1989 July 17	Ald. Murray Ald. Copps	Report Pending

Monday, 1989 July 17
9:30 o'clock a.m.
Room 233, City Hall

The Legislation Committee met.

There were present: Alderman V. J. Agro, Chairman
Alderman M. Kiss, Vice-Chairman
Alderman G. Copps
Alderman F. Lombardo
Alderman T. Jackson
Alderman H. Merling
Alderman D. Ross

Absent with Regrets: Mayor R. M. Morrow, City Business
Alderman D. Drury, Vacation

Also present: Alderman D. Agostino
Alderman T. Cooke
Alderman T. Murray
Alderman B. Hinkley
Mr. L. Sage, Chief Administrative Officer
Mr. B. Sugden, Director, Culture and Recreation
Mr. D. Carson, Mayor's Office
Mr. S. Dembe, Licence Administrator
Mr. D. Barrow, Licensing Division, City Clerk's Office
Ms. L. Lawrence, City Solicitor's Office
Mr. K. Avery, Deputy City Clerk
Mrs. S. K. Reeder, Acting Secretary

Don Street
Allegations of
Patronage
and
Nepotism

The Committee was in receipt of a letter of direction from the Chairman of the Legislation Committee requesting that letters received from Mr. Don Street on the integrity of the process for committee selection be included on the next agenda for the Committee, as well as arrangements to be made for Mr. Street to speak to the Committee on his concerns.

The Committee was in receipt of correspondence from Mr. Don Street, dated 1989 March 20, and 1989 February 6, on this matter.

Mr. Street spoke to the Committee on his allegations of patronage and nepotism in City Hall hiring and appointments to advisory committees.

Alderman Murray, Chairman of the Parks and Recreation Committee, spoke on the selection process with respect to the Parks and Recreation Advisory Committee. Considerable discussion ensued on the matters raised by Mr. Street, and Mr. Street was questioned on where his allegations come from and that Mr. Street provide substantive proof of his allegations.

Alderman Hinkley, Chairman of the Personnel Committee, spoke on recent implementations of the interviewing process in sub-committee candidate selection. He also spoke on the hiring policy and work of the Personnel Committee.

Following several lost motions of the Committee on this matter, it was **MOVED** by Alderman Ross, **SECONDED** by Alderman Merling, and **CARRIED TO RECEIVE** the correspondence and discussion.

NOTE: Alderman Copps and Alderman Kiss opposed.

Report
of the
Taxicab Legislation
Review Sub-Committee

The Committee then reviewed the reports of the Taxicab Legislation Review Sub-Committee.

Alderman Agro, Chairman of the Sub-Committee, introduced members of the Legislation Committee and members of the Taxicab Legislation Review Sub-Committee to those persons in attendance to hear this matter.

Mr. S. Dembe, Licence Administrator, outlined the report and each of the recommendations contained therein.

Report of the Taxicab Legislation Review Sub-Committee

The Committee was in receipt of a letter marked Private and Confidential from the City Solicitor's Office respecting elimination of livery vehicle licences for school transportation.

The Chairman then opened the discussion to receive comments from those in attendance.

Mr. Bill Roman, Taxicab No. 250, member of the Hamilton Taxicab Association, spoke. He read a letter addressed to Mr. Dembe from them respecting livery licences and their wish that livery licences not be a part of the taxicab industry. He also quoted Bill E-6 on livery licences. Mr. Roman read a letter of response from the Licence Administrator. He indicated that he feels that the recommendations contained in the report will make livery licences legal in the taxi industry whereby he quotes above matters where livery licences are illegal in the taxi industry. He feels they should be eliminated immediately.

General discussion ensued on the future of livery licences and their legality in the taxi industry.

Mr. Hackett, Taxicab No. 31, 960 Stonechurch Road East, spoke to the Committee and indicated that a livery licence is a privilege, and that Toronto doesn't have them and why should Hamilton.

Mr. Mike Anderer, 440 Quigley, Taxicab No. 186, spoke. He indicated that livery licences should be eliminated immediately. He also added that he has concerns that increasing limousine services are taking business away from the taxi industry. He asked how livery licences are limited.

The Licence Administrator indicated that there are no limits on livery licences or limousine licences, and that they are waiting for a full meeting to discuss limiting limousine licences, as in cities such as Mississauga.

Mr. Bob Burke, who has been in the taxi industry for 14 years, spoke to the Committee. He indicated that cabs should be increased first and then licence fees. He also expressed his view that taxis were there first before liveries and have precedence. He also cited parking problems in the downtown core for pickup during peak hours.

The Chairman of the Legislation Committee indicated that parking is being addressed through another venue.

A person in the audience spoke to the Committee and indicated that they would like to see all the outstanding issues settled as contained in the recommendations before added licences are issued. He commended the Taxi Association for becoming more active on these issues as well as commending the Licensing Committee for screening applications for taxi plates.

The Licence Administrator outlined the process undertaken by the Licensing Committee to assure that plates are issued to qualified applicants, rather than people who are not working in the industry but who view plates as a revenue generator.

Mr. Bob Van Kleef, General Manager of Veteran's Taxi Company, spoke to the Committee. He questions where the information in the report came from, and feels that no change has been made to their input in the past. He is opposed to any rates increases. He also said that income tax returns are unfair when no other city requires this information. He quoted Page 3 Recommendation 11 in the report as an infringement to private enterprise. He added that he supports the issuance of 25 new plates, but not until livery plates have been eliminated. He feels the standards of the City for issuance of licences are too slack. He then spoke on DARTS trips and their loss to the taxi industry. He added that DARTS should be reviewed in view of their highly subsidized funding, and questions the Region issuing them an exclusive licence. He also referred to Page 5 Section 2 as premature before the report is finalized. He added that more industry input is needed before the recommendations are finalized and more research required. He also expressed concerns that downtown parking needs especially for picking up seniors.

Report of the Taxicab Legislation Review Sub-Committee

Mr. Bill Scime, Hamilton Taxi Owners Association, distributed a report entitled "Recommendations of the Hamilton Taxi Owners Organization Referencing The Report of Taxicab Review Committee, dated 1989 July 17". Mr. Scime read through the presentation commenting on each of the recommendations contained in the Taxicab Legislation Review Sub-Committee Report. He also spoke on a petition submitted at a previous meeting asking for elimination of livery licences.

Mr. Albert DiCasa, owner of Yellow Cab, spoke on the criteria for taxi plates, and questioned the time requirement of two shifts per week which would constitute, in his mind, a part-time worker. He indicated that the requirement should be for three shifts. He also spoke on school trips and indicated this is a useless recommendation. He agrees with the issuance of additional licence plates. He added that there is a need for added plates to address school trips as well as other trips, and added there should be only one criteria for added plates i.e. public demand and driver response.

Mr. Fred Colville, of the Taxicab Association, spoke and indicated that he is against the added plates and that they only benefit the brokers.

A taxi driver who resides at 295 Rosedale Avenue spoke to the Committee and indicated that the two year rule should apply only as of the date of the letter sent to those already on the Priority List i.e. 1989 January, and that this requirement should be grandfathered.

A woman in the audience questioned when the recommendations contained in the Sub-Committee Report will be presented to City Council.

Mr. Gary Pace, a driver with Blue Line, spoke on the two year time period for qualifying for plates and asked questions on that matter.

Mr. Ian Morrice, who rents a cab with Blue Line, questioned the increased fees particularly on an additional car. The Licence Administrator outlined what the fees are being levied for. It was indicated that the Committee will be taking the fee increases under advisement. He also questioned the liveries for school trips.

Mr. Luke Hayes, General Manager of Blue Line, spoke. He indicated that livery cars are operated through Blue Line. He indicated that unfavourable school trips are refused by taxi drivers/owners.

Mr. Scime, responded to Mr. Hayes comments about school trips. He added that the time to run a school trip generates less money than by responding to call in requests. He suggested that these trips should be sent out through the system to take, not be assigned to specific drivers who take a financial loss to do them.

Mr. Barb, a driver with Yellow Cabs, spoke and made comments about the stress and mistreatment they take from the public.

Mr. Sura, a drive with Blue Line, expressed concerns that outside city taxis are working in Hamilton.

Following discussion on all the comments made by the public and further to a great deal of discussion on this matter by the Committee, the following recommendations were approved:

(a) That the existing Taxicab Priority List be continued and a yearly renewal fee of $50 be established to maintain an applicant's name on the Priority List.

NOTE: This recommendation will take effect on 1990 January 1.

This annual renewal and fee must be completed by September 30th of the current year. Failure to meet these requirements will result in the applicant's name being removed from the Priority List. The acceptance of an application and/or renewal along with the $50 fee holds a position on the Priority List only and shall not be considered a guarantee to an applicant that he/she will automatically receive a Taxicab Owner's Licence once the name reaches the top of the List. The acceptance of an application and/or payment of the $50 fee is on the condition that the applicant has never previously received a Taxicab Owner's Licence from the City of Hamilton's Priority List and that the applicant otherwise complies with all other relevant sections of the By-law.

All applicants currently on the Taxicab Priority List will be exempted from this requirement up to the date of enactment of the By-law.

(b) That an applicant for a Taxicab Owner's Plate must be presently and actively engaged full time (defined as 24 hours - two shifts weekly) in the City of Hamilton's Taxi Industry. An applicant is defined as a licenced taxicab driver, taxicab owner, taxicab dispatcher and taxicab telephone service operator for a minimum one (1) year prior to being able to be placed on the Priority List.

NOTE: This requirement to take effect on the date of enactment of the By-law.

Verification to be made by income tax return and an affidavit from the taxicab owner/broker as the case may be.

Input will be required from the Taxi Industry to strike a formula to be applied in determining the average income (based on 24 hours x 50 weeks = income per year of a driver, owner, dispatcher and telephone service operator). The formula will include a factor for inflationary adjustments (The formula can be adjusted yearly or as required).

(c) That, as an alternative to the income tax requirement in Section (b) above, verification of involvement in the Taxi Industry could be provided by an applicant, as defined in Section (b) above, who submits a certified copy of a record of employment and/or Unemployment Insurance Commission Statements of Insurable Earnings and/or Canada Pension Plan Contributions Statement.

NOTE: The aforementioned would be tied to the definition of "full time" (i.e. 24 hours per week - see Section (b) above).

(d) That at the time an applicant for a Taxi Owner's Licence reaches the top of the Priority List, before issuance, the applicant must submit certified copies of income tax returns, record of employment etc., as set out in Sections (b) and (c) above, for the immediately preceding 2 consecutive calendar years as a full-time driver, owner, dispatcher or telephone service operator in the City of Hamilton's Taxi Industry.

NOTE: This requirement to take effect on the date of enactment of the By-law.

Verification to include requirements as outlined in Section (d), and an affidavit from taxicab broker/owner. Dollar earnings to be determined by income formula as outlined in Section (b) above.

Report of the Taxicab Legislation Review Sub-Committee

(e) That provision be made in the Licencing By-law to cover a situation where an applicant was medically unable to comply with the requirements in Section (d) above.

NOTE: An applicant for a Taxicab Owner's Licence from the Priority List whose name reaches the top of the List will be required to comply with the requirements in Section (d) above, for the two immediately consecutive years preceding the medical disability. At the time of consideration by the City of Hamilton Licencing Committee, an applicant will be required to submit proof of medical disability from two medical doctors of his choice. The applicant will also be required to submit to a medical examination by a medical doctor selected by the City of Hamilton Licencing Committee through the Human Resources Department.

(f) That an applicant can receive only one Taxi Owner's Licence from the Priority List.

NOTE: All persons on the current Priority List will be exempted from this requirement. The current Taxi Priority List ended at applicant, George Hutchinson. The current Taxi Priority List is dated 1988 December 15.

The requirement to take effect on the date of enactment of the By-law.

(g) That the Legislation Committee be asked to strike a Taxi Advisory Committee to deal with matters respecting all facets of the Taxi Industry and that this Committee report directly to the Legislation Committee.

(h) That the City Solicitor be authorized and directed to prepare the appropriate By-law.

NOTE: The Legislation Committee tabled and referred the balance of the report of the Taxicab Legislation Review Sub-Committee dated 1989 July 17th to the Taxicab Legislation Review Sub-Committee.

Approval of Minutes - 1989 June 19

The Committee was in receipt of the Minutes of their Meeting held Monday, 1989, June 19 and agreed to approve these Minutes.

Bingo Lotteries - Time Periods

The Committee was in receipt of correspondence from the Secretary of the Legislation Committee dated 1989 June 30 respecting Bingo Lotteries - Time Periods.

The memorandum from the Secretary indicated that Section 2 of the TENTH Report of the Legislation Committee respecting the above noted matter was referred back by City Council at its meeting held 1989 June 27.

Due to the length of the previous discussions on the agenda and the time lapse in the meeting, the Committee agreed to table this matter to the next meeting where more discussion could be held.

Pop Cans

The Committee was in receipt of a memorandum from the Secretary of the Legislation Committee dated 1989 July 12 respecting pop cans, and the recommendation of Alderman Merling respecting this matter.

It was indicated to the Committee that Alderman Merling wished to have this item withdrawn from the agenda as this matter has been resolved. The Committee agreed.

Western Canada Mardi Gras Convention

The Committee was in receipt of a memorandum from Alderman D. Ross dated 1989 June 26 respecting Western Canada Mardi Gras Convention, Hamilton, Ontario, 1990 February 2-4.

The Committee agreed to receive this information.

Report Respecting By-law No. 79-128 Governing the Prohibition and Regulation of Fireworks

The Committee was in receipt of a report from the Secretary of the Licensing Committee dated 1989 June 19 respecting By-Law 79-128 governing the prohibition and regulation of fireworks.

The Committee approved the following recommendation:

> That the Legislation Committee be requested to review with the Fire Chief any concerns he has regarding By-Law 79-128 with respect to the storage and display of fireworks within retail stores in the City of Hamilton.

Civic Luncheon - Lord Provost of Glasgow, Scotland

The Committee was in receipt of a memorandum from the Executive Assistant to the Mayor dated 1989 July 12 respecting a civic luncheon for the Lord Provost of Glasgow, Scotland.

The Committee approved the following:

> That a civic luncheon **BE HOSTED** at the Hamilton Convention Centre on Friday, 1989 July 28th in honour of a visit from the Lord Provost of Glasgow, Scotland, at a cost not to exceed $750.
>
> **NOTE:** Members of City Council and the Hamilton and Scottish Societies will be invited to attend.
>
> Funding for this event to be charged to Unclassified Expenditures Account.

Resultion Respecting Funding for VIA Rail

The Committee was in receipt of a resolution from the Canadian Brotherhood of Railway, Transport and General Workers respecting funding for VIA Rail.

The Committee approved the following:

> That the following resolution of the Canadian Brotherhood of Railway, Transport and General Workers, **BE ENDORSED:**
>
> **WHEREAS** VIA Rail serves not only our community, but is a vital link between all the regions of Canada.
>
> **AND WHEREAS** the Federal Government has announced its intention to cutback public funding for VIA Rail, which will jeopardize passenger rail service across the country,
>
> **THEREFORE BE IT RESOLVED** that this Council is opposed to the Federal Government's plans to cutback VIA Rail funding,
>
> **AND BE IF FURTHER RESOLVED** that our position be communicated to the Prime Minister of Canada, the Federal Minister of Finance, the Federal Minister of Transport and our local Member(s) of Parliament.

Resolution Town of Oakville Respecting Road Cuts on Urban Streets

The Committee was in receipt of a resolution from the Town of Oakville regarding Road Cuts on Urban Streets.

The Committee approved the following:

> That the following resolution from the Corporation of the Town of Oakville **BE REFERRED** to the Regional Engineering Services Committee:
>
> **WHEREAS** most municipalities charge a fee for road cuts, and
>
> **WHEREAS** this fee is typically nominal in nature and only sufficient to cover the maintenance from time to time of the various road cuts, and
>
> **WHEREAS** the multiplicity of road cuts in well used urban streets precipitates the repaving of these streets at a more rapid rate than would otherwise be planned for, and

WHEREAS there is no provision in The Municipal Act to levy a surcharge for these road cuts in addition to the fee,

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Oakville requests the Province to amend The Municipal Act so as to permit municipalities throughout the Province to establish a surcharge for road cuts to be set aside into a special fund for the purposes of the repaving of streets and that all municipalities with a population in excess of 50 000 be requested to endorse this resolution and that it be forwarded to the Association of Municipalities of Ontario for its endorsement.

NOTE: The Legislation Committee has also **REFERRED** this resolution to the City's Transport and Environment Committee.

Resolution
City of Toronto
Respecting
Certified Copies
of
Municipal By-law
Consolidations

The Committee was in receipt of a resolution from the City of Toronto regarding Certified Copies of Municipal By-Law Consolidations.

The Committee **AGREED TO TABLE** this resolution pending the comments of the City Solicitor's Department on this matter.

Use of City Hall
Facilities -
Taoist Tai Chi
Society of Canada

The Committee was in receipt of a request from the Taoist Tai Chi Society of Canada placed before them through a memorandum from the Secretary of the Legislation Committee dated 1989 July 12, and approved the following recommendation:

That the request of the Taoist Tai Chi Society of Canada, Hamilton Branch, for permission to use the City Hall forecourt to stage a Tai Chi demonstration as a fund raising event for the Arthritis Society of Canada on Sunday, 1989 August 27 from 1:00 o'clock p.m. to 2:00 o'clock p.m., **BE APPROVED**.

Use
of
City Hall Facilities -
Children's International
Learning Centre

The Committee was in receipt of a request from the Children's International Learning Centre put forward to them from the Secretary of the Legislation Committee in a report dated 1989 July 12, and approved the following recommendation:

That the request of the Children's International Learning Centre for permission to use the City Hall Council Chambers on Sunday, 1989 November 19 for a short ceremony to celebrate the beginning of its twentieth year of service in this community, **BE APPROVED**.

Erection
of
a Reviewing Stand -
Hamilton and District
Labour Council

The Committee was in receipt of a request for approval from the Hamilton and District Labour Council put forward in a report from the Secretary of the Legislation Committee dated 1989 July 12, and approved the following recommendation:

(a) That **APPROVAL** be given to the request of the Hamilton and District Labour Council for the City to erect a reviewing stand on the west side of Locke Street, midway of the grounds of Victoria Park, for the annual Labour Day Parade on Monday, 1989 September 04.

(b) That funding for staff overtime is provided from Account No. CH55222 10034, Use of City Hall facilities and equipment by outside groups.

Use
of the name
"Hamilton"

The Committee was in receipt of a request from Christopher C. Breen, Solicitor, on behalf of a client wishing to open a business entitled "Olde Guard Historical Society of Hamilton". The Committee was in receipt of a report on this matter from the City Clerk dated 1989 July 12 respecting approval to use the name "Hamilton".

The Committee **AGREED TO TABLE** this matter pending further information on this proposed company.

Report of
Alderman B. Hinkley
re
F.C.M. Conference
Vancouver, B.C.

The Committee was in receipt of a report from Alderman B. Hinkley dated 1989 July 12 respecting a report on the F.C.M. Conference, 1989 June 9-12, Vancouver, British Columbia. Alderman Hinkley spoke to this matter and commended Mr. Ken Peters, journalist, who attended the F.C.M. activities, who gave excellent report of the activities at this Conference.

Alderman Hinkley went to many of the workshops but expressed disappointment at their lack in content.

The Committee then **RECEIVED** this report.

Chinese
Candlelight
Vigil Service

The Committee was in receipt of an added report from the Secretary of the Chinese Candlelight Vigil Service Planning Committee dated 1989 July 4 respecting a Chinese Candlelight Vigil to be held annually.

The Committee noted that a candlelight vigil service will be held on Thursday, 1989 July 20 at 11 o'clock p.m. in the forecourt of City Hall.

Alderman Kiss, Chairman of this Planning Committee, spoke to the Committee on this event.

The Committee expressed some doubt on whether annual events for this service should be held by the City or by the Chinese community. It was agreed that a decision on this matter would be referred to the Planning Committee and therefore tabled the recommendation contained in the report from the Planning Committee.

Alderman T. Murray
Alderman G. Copps
Review
of
Civic Gifts

As an added item, Alderman Murray spoke to the Committee on his concerns surrounding the civic gifts being distributed through the Mayor's Office. He queried who pays for the gifts; which items are purchased and who makes that decision; how much money has been spent to date; and where these gifts are given.

Following some discussion on this matter by the Committee, the Committee approved the following:

> That Alderman T. Murray and Alderman G. Copps be authorized to undertake a review of City gifts with emphasis on which items are purchased, how much is spent to date, and where these gifts are given.

Adjournment

There being no further business the meeting then adjourned.

Taken as read and approved,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

Susan K. Reeder, Acting Secretary
1989 July 17

Typed by B. Carter

A.

RECOMMENDATIONS OF THE TAXICAB REVIEW COMMITTEE

TO

THE LEGISLATION COMMITTEE

RECOMMENDATIONS RESPECTING THE TAXICAB PRIORITY LIST

1. THAT THE EXISTING PRIORITY LIST BE CONTINUED AND A YEARLY RENEWAL FEE OF $50.00 BE ESTABLISHED TO MAINTAIN AN APPLICANT'S NAME ON THE PRIORITY LIST.

APPROVED

THIS RECOMMENDATION TO TAKE EFFECT ON JANUARY 1, 1990.

THIS ANNUAL RENEWAL AND FEE MUST BE COMPLETED BY SEPTEMBER 30TH OF THE CURRENT YEAR. FAILURE TO MEET THESE REQUIREMENTS WILL RESULT IN THE APPLICANT'S NAME BEING REMOVED FROM THE PRIORITY LIST. THE ACCEPTANCE OF AN APPLICATION AND/OR RENEWAL ALONG WITH THE $50.00 FEE HOLDS A POSITION ON THE PRIORITY LIST ONLY AND SHALL NOT BE CONSIDERED A GUARANTEE TO AN APPLICANT THAT HE/SHE WILL AUTOMATICALLY RECEIVE A TAXICAB OWNER'S LICENCE ONCE THE NAME REACHES THE TOP OF THE LIST. THE ACCEPTANCE OF AN APPLICATION AND/OR PAYMENT OF THE $50.00 FEE IS ON THE CONDITION THAT THE APPLICANT HAS NEVER PREVIOUSLY RECEIVED A TAXICAB OWNER'S LICENCE FROM THE CITY OF HAMILTON'S PRIORITY LIST AND THAT THE APPLICANT OTHERWISE COMPLIES WITH ALL OTHER RELEVANT SECTIONS OF THE BY-LAW.

PLEASE NOTE: Licence By-law will be required to be amended so that the prohibition against leasing will be removed. (Page 146, Sec. 23, Priority List)

2. (A) THAT AN APPLICANT FOR A TAXICAB OWNER'S PLATE MUST BE PRESENTLY AND ACTIVELY ENGAGED FULL TIME (DEFINED AS 24 HOURS - TWO SHIFTS WEEKLY) IN THE CITY OF HAMILTON'S TAXI INDUSTRY. AN APPLICANT IS DEFINED AS A LICENSED TAXICAB DRIVER, TAXICAB OWNER, TAXICAB DISPATCHER AND TAXICAB TELEPHONE SERVICE OPERATOR FOR A MINIMUM ONE (1) YEAR PRIOR TO BEING ABLE TO BE PLACED ON THE PRIORITY LIST.

APPROVED

THIS REQUIREMENT TO TAKE EFFECT ON THE DATE OF ENACTMENT OF THE BY-LAW.

VERIFICATION TO BE MADE BY INCOME TAX RETURN AND AN AFFIDAVIT FROM THE TAXICAB OWNER/BROKER AS THE CASE MAY BE. INPUT WILL BE REQUIRED FROM THE TAXI INDUSTRY TO STRIKE A FORMULA TO BE APPLIED IN DETERMINING THE AVERAGE INCOME (BASED ON 24 HOURS X 50 WEEKS = INCOME PER YEAR OF A DRIVER, OWNER, DISPATCHER AND TELEPHONE SERVICE OPERATOR). THE FORMULA WILL INCLUDE A FACTOR FOR INFLATIONARY ADJUSTMENTS (THE FORMULA CAN BE ADJUSTED YEARLY OR AS REQUIRED).

(B) THAT AS AN ALTERNATIVE TO THE INCOME TAX REQUIREMENT IN 2(A), VERIFICATION OF INVOLVEMENT IN THE TAXI INDUSTRY COULD BE PROVIDED BY AN APPLICANT, AS DEFINED IN 2A, WHO SUBMITTED A CERTIFIED COPY OF A RECORD OF EMPLOYMENT AND/OR UNEMPLOYMENT INSURANCE COMMISSION STATEMENTS OF INSURABLE EARNINGS AND/OR CANADA PENSION PLAN CONTRIBUTIONS STATEMENT.

THE AFOREMENTIONED WOULD BE TIED TO THE DEFINITION OF "FULL TIME" (I.E. 24 HOURS PER WEEK - SEE 2A).

3. (A) THAT AT THE TIME AN APPLICANT FOR A TAXICAB OWNER'S LICENCE REACHES THE TOP OF THE PRIORITY LIST, BEFORE ISSUANCE, THE APPLICANT MUST SUBMIT CERTIFIED COPIES OF INCOME TAX RETURNS,RECORD OF EMPLOYMENT ETC., AS SET OUT IN 2A AND 2B FOR THE IMMEDIATELY PRECEDING 2 CONSECUTIVE CALENDAR YEARS AS A FULL-TIME DRIVER, OWNER, DISPATCHER OR TELEPHONE SERVICE OPERATOR IN THE CITY OF HAMILTON'S TAXI INDUSTRY.

APPROVED

VERIFICATION TO INCLUDE REQUIREMENTS IN 3A AND AN AFFIDAVIT FROM TAXICAB BROKER/OWNER. DOLLAR EARNINGS TO BE DETERMINED BY INCOME FORMULA AS OUTLINED IN (2) ABOVE.

THIS REQUIREMENT TO TAKE EFFECT ON THE DATE OF ENACTMENT OF THE BY-LAW.

IT IS RECOMMENDED THAT THE LICENSING COMMITTEE BE RESPECTFULLY REQUESTED TO PERMIT THE DEFERRAL OF THE APPLICATION OF AN INDIVIDUAL, WHO REACHES THE TOP OF THE TAXICAB PRIORITY LIST, FOR A MAXIMUM OF 2 YEARS FROM THE DATE OF PASSAGE OF THE BY-LAW IN ORDER THAT THE APPLICANT WILL HAVE SUFFICIENT TIME TO COMPLY WITH THE NEW REGULATIONS. IT SHOULD BE NOTED THAT THIS DEFERRAL ONLY APPLIES TO INDIVIDUALS WHO REACH THE TOP OF THE LIST DURING THE TWO YEARS FOLLOWING ENACTMENT OF THE BY-LAW.

FOR EXAMPLE, CITY COUNCIL APPROVES THE AMENDED BY-LAW ON SEPTEMBER 1, 1989. SUBSEQUENTLY, COUNCIL APPROVES THE ISSUANCE OF "X "LICENCES ON SEPTEMBER 1, 1990. SHOULD AN APPLICANT REACH THE TOP OF THE LIST AT THAT TIME AND REQUEST

...continued

A DEFERMENT, HE CAN ONLY BE DEFERRED FOR ONE YEAR IN ORDER TO MEET THE REQUIREMENTS IN 3(A).

PLEASE NOTE: That Items #2 and #3 above where dollar earnings to be determined by income formula are below an "acceptable" average, proof of 100 shifts (trip records/employment records) will be required by Cab Drivers in conjunction with Income Tax Returns/Record of Employment. A shift is defined as 12 continuous hours. Work periods for dispatchers/telephone service operators are usually 8 hours, therefore, proof of 150 shifts will be required to comply with the 24 hours minimum per week. Cab Owners may lease their vehicle, put on drivers or drive themselves all resulting in differing income levels. Income Tax Returns reflecting industry "averages" will be applied when determining compliance with 3(A) and (B) above.

(B) THAT PROVISION BE MADE IN THE LICENSING BY-LAW TO COVER A SITUATION WHERE AN APPLICANT WAS MEDICALLY UNABLE TO COMPLY WITH THE REQUIREMENTS IN 3 (A). AN APPLICANT FOR A TAXICAB OWNER'S LICENCE FROM THE PRIORITY LIST WHOSE NAME REACHES THE TOP OF THE LIST, WILL BE REQUIRED TO COMPLY WITH THE REQUIREMENTS IN 3 (A) FOR THE TWO CONSECUTIVE YEARS IMMEDIATELY PRECEDING THE MEDICAL DISABILITY. AT THE TIME OF CONSIDERATION BY THE CITY OF HAMILTON LICENSING COMMITTEE, AN APPLICANT WILL BE REQUIRED TO SUBMIT PROOF OF MEDICAL DISABILITY FROM TWO MEDICAL DOCTORS OF HIS CHOICE. THE APPLICANT WILL ALSO BE REQUIRED TO SUBMIT TO A MEDICAL EXAMINATION BY A MEDICAL DOCTOR SELECTED BY THE CITY OF HAMILTON LICENSING COMMITTEE THROUGH THE HUMAN RESOURCES DEPARTMENT.

4. THAT AN APPLICANT CAN RECEIVE ONLY ONE TAXI OWNER'S LICENCE FROM THE PRIORITY LIST. ALL PERSONS ON THE CURRENT PRIORITY LIST WILL BE EXEMPTED FROM THIS REQUIREMENT. THE CURRENT TAXI PRIORITY LIST ENDED AT APPLICANT, GEORGE HUTCHINSON. THE CURRENT TAXI PRIORITY LIST IS DATED DECEMBER 15, 1988.

APPROVED

THIS REQUIREMENT TO TAKE EFFECT ON THE DATE OF ENACTMENT OF THE BY-LAW.

5. THAT THE LEGISLATION COMMITTEE BE ASKED TO STRIKE A TAXI ADVISORY COMMITTEE TO DEAL WITH MATTERS RESPECTING ALL FACETS OF THE TAXI INDUSTRY AND THAT THIS COMMITTEE REPORT DIRECTLY TO THE LEGISLATION COMMITTEE.

APPROVED

...continued

6. THAT THE FEE FOR A TAXICAB OWNER'S LICENCE FROM THE PRIORITY LIST BE SET AT $3 000.

7. THAT NO NAME APPEAR MORE THAN ONCE ON THE PRIORITY LIST. IF A NAME APPEARS MORE THAN ONCE, ONLY THE NAME IN THE HIGHEST PRIORITY WILL REMAIN ON THE LIST. THIS REQUIREMENT TO TAKE EFFECT ON THE DATE OF ENACTMENT OF THE BY-LAW.

8. THAT THE TAXI OWNER'S LICENCE TRANSFER FEE BE SET AT $1 500. THIS REQUIREMENT TO TAKE EFFECT ON THE DATE OF ENACTMENT OF THE BY-LAW.

9. THAT ANNUAL RENEWAL OF A TAXICAB OWNER LICENCE FEE BE SET AT $175. THIS REQUIREMENT TO TAKE EFFECT ON JANUARY 1, 1990.

10. THAT A NOTICE WILL BE SENT BY REGISTERED MAIL TO EVERY APPLICANT ON THE PRIORITY LIST NOTIFYING THEM OF ANY CHANGES TO THE EXISTING REGULATIONS GOVERNING THE PRIORITY LIST, AS WELL AS THE PLACEMENT OF TWO LARGE ADS IN THE SPECTATOR ON ENACTMENT OF THE BY-LAW.

11. THAT THE LICENCE COMMITTEE BE REQUIRED TO PUBLISH IN THE LOCAL NEWSPAPER AND POST AT THE VARIOUS TAXI COMPANIES A "PUBLIC NOTICE OF INTENT" THAT THE CITY WILL BE ISSUING ADDITIONAL TAXI OWNER'S LICENCES AND INCLUDE A LIST OF THE APPLICANTS TO BE CONSIDERED.

    THE LICENCE COMMITTEE WILL BE ASKED TO CONSIDER SUBMISSIONS FROM THE PUBLIC REGARDING THE QUALIFICATIONS OF APPLICANTS FOR A TAXI OWNER'S LICENCE FROM THE PRIORITY LIST.

12. THAT, IN ORDER TO BETTER REGULATE AND CONTROL LIVERY VEHICLES WHICH OPERATE WITHIN THE TAXI INDUSTRY, TAXICAB SCHEDULE 4 OF BY-LAW 79-323 BE AMENDED SO AS TO PROHIBIT THE FOLLOWING:

    (A) A TAXICAB BROKER DISPATCHING A CALL TO A LIVERY VEHICLE DRIVER OTHER THAN FOR A SCHOOL TRIP.

13. THE TAXICAB ADVISORY COMMITTEE WILL BE ASKED TO GIVE ITS EARLIEST ATTENTION TO A TAXI FARE INCREASE.

...continued

RECOMMENDATIONS RESPECTING LIVERY LICENCES

1. THAT THE LIVERY VEHICLE BY-LAW BE AMENDED SO THAT LIMOUSINE SERVICES, TRANSPORTATION FOR THE DISABLED, AND SCHOOL TRANSPORTATION BE REQUIRED TO OBTAIN A SEPARATE CLASS OF LIVERY VEHICLE LICENCE.

(A) THE FOLLOWING CLASSES WILL BE CREATED:

CLASS A (LIMOUSINE SERVICES): THE CITY OF HAMILTON WILL SET THE MINIMUM RATE OF FARE OR CHARGE AT $60.00 PER HOUR OR MINIMUM _____ PER DIEM RATE:

AN OWNER OF A CLASS A LICENSED VEHICLE SHALL:

- PROVIDE TO THE LICENSING COMMITTEE AT THE TIME THAT THE LICENCE IS ISSUED, A SCHEDULE OF FEES TO BE CHARGED IN RESPECT OF THE USE OF THE VEHICLE AND ITS DRIVER,

- CHARGE FEES FOR THE USE OF THE VEHICLE AND ITS DRIVER IN ACCORDANCE WITH SCHEDULE OF FEES SO PROVIDED,

- ENSURE THAT A DRIVER OPERATING THE OWNER'S VEHICLE CHARGES FEES IN ACCORDANCE WITH THE SCHEDULE OF FEES SO PROVIDED,

- NOTIFY THE LICENSING COMMITTEE IN WRITING OF ANY PROPOSED CHANGE IN THE FEE SCHEDULE PRIOR TO INVOKING SUCH CHANGE,

- MAINTAIN A TRIP RECORD WHICH SHALL BE KEPT IN THE LICENSED VEHICLE AT ALL TIMES AND PREPARED IMMEDIATELY UPON CONCLUSION OF A TRIP AND WHICH SHALL CONTAIN THE FOLLOWING INFORMATION:

  (1) THE NAME AND ADDRESS OF THE PERSON HIRING THE VEHICLE,

  (2) THE TIME OF THE COMMENCEMENT OF THE TRIP AND THE TIME OF THE CONCLUSION OF THE TRIP,

  (3) THE ADDRESS OF THE PLACE OF ORIGIN OF THE TRIP AND THE ADDRESS OF THE PLACE OF FINAL DISCHARGE OF THE PASSENGERS AT THE CONCLUSION OF THE TRIP, AND

  (4) THE FEE CHARGED,

...continued

- ENSURE THAT A DRIVER OPERATING THE OWNER'S VEHICLE MAINTAINS SUCH TRIP RECORD.

- KEEP THE TRIP RECORD REFERRED TO IN THIS SECTION FOR A PERIOD OF AT LEAST TWELVE MONTHS, AND

- PERMIT ANY PERSON AUTHORIZED BY THE LICENSING COMMITTEE TO INSPECT THE TRIP RECORD ON THE PREMISES OR TO REMOVE THE TRIP RECORD FROM THE PREMISES FOR THE PURPOSES OF INSPECTION

A DRIVER OF A CLASS A LICENCE SHALL:

- CHARGE FEES IN ACCORDANCE WITH A SCHEDULE OF FEES PROVIDED TO THE LICENCE COMMITTEE BY THE OWNER,

- MAINTAIN A TRIP RECORD AS NOTED ABOVE.

- THAT THERE BE NO LIMITATION ON THE NUMBER OF CLASS A LICENCES.

- THAT THERE BE A REQUIREMENT FOR EACH VEHICLE TO SEAT A MINIMUM OF SIX PASSENGERS AND A MAXIMUM OF NINE PASSENGERS. THIS INCLUDES THE DRIVER.

  A MINIMUM WHEEL-BASE OF NOT LESS THAN 110 INCHES WILL BE REQUIRED IN ORDER TO ENSURE FULL SIZE VEHICLES. HISTORICAL VEHICLES OLDER THAN 30 YEARS AND UNMODIFIED OR UNCHANGED FROM THE ORIGINAL MANUFACTURED PRODUCT WILL BE EXEMPT FROM THIS REQUIREMENT.

- THAT THERE BE A REQUIREMENT FOR CONTRACTS IN THE CITY OF HAMILTON. BEFORE LICENCE RENEWAL, THE BY-LAW WILL REQUIRE THE SUBMISSION OF THESE CONTRACTS. THE CONTRACTS MUST SHOW THE POINT OF ORIGIN OF TRIPS COMMENCING IN THE CITY OF HAMILTON AND SUBSEQUENT RETURN OF PASSENGERS TO THE ORIGINAL POINT OF ORIGIN IN THE CITY OF HAMILTON. THE BY-LAW WILL BE REQUIRED TO BE FURTHER AMENDED TO INCLUDE A REQUIREMENT FOR CONTRACT/TRIP RECORDS, RETENTION AND PRODUCTION OF SAME. THE AUTHORIZED CONTRACT/TRIP RECORD FORM WILL BE CREATED BY THE CITY OF HAMILTON.

CLASS B (TRANSPORTATION FOR THE DISABLED): THE BY-LAW WOULD REQUIRE THIS SERVICE TO BE TIED TO THE DARTS CONTRACT.

...continued

2. (A) CLASS C (SCHOOL TRANSPORTATION): THE NUMBER WOULD BE LIMITED TO 73 (THIS NUMBER MUST BE VERIFIED) AND REDUCED BY ATTRITION.

ONLY LIVERY VEHICLE OWNERS LICENSED FOR THE IMMEDIATE PRECEDING YEAR ARE ELIGIBLE FOR LICENCE RENEWAL FOR THE FOLLOWING YEAR.

(B) THAT SUBMISSION OF PROOF OF THE CURRENT YEAR LOCAL SCHOOL BOARD TRIPS (INCLUDING NAMES AND ADDRESSES OF CHILDREN) BE REQUIRED BEFORE RENEWAL OF EACH LICENCE.

(C) LIVERY VEHICLES CLASS C WILL BE PROHIBITED FROM DISPLAYING TAXICAB ROOF SIGNS, BUT WILL BE PERMITTED TO DISPLAY THE WORD LIVERY IN LIEU THEREOF. CLASS C LIVERIES WILL BE REQUIRED TO SHOW NUMERICAL IDENTIFICATION WITH THE PREFIX "L" IMMEDIATELY BEFORE THE NUMBER. NUMERICAL IDENTIFICATION, AT LEAST 6 INCHES IN HEIGHT, PERMANENTLY AFFIXED, MUST BE CLEARLY VISIBLE ON BOTH SIDES OF THE VEHICLE.

(D) THAT THE LICENCE FEE FOR CLASS A, B AND C LIVERIES BE SET AT $175.00.

3. THAT UPON ISSUANCE OF A LICENCE IN ANY OF THE ABOVE CLASSES, (A, B OR C), A VEHICLE MUST BE OPERATIONAL AND FUNCTIONING WITHIN 30 DAYS.

4. THAT ALL CLASSES (A, B AND C) OF LIVERY LICENCE SHALL NOT BE TRANSFERABLE.

5. ALL CLASSES OF LIVERY VEHICLES WILL BE RESTRICTED TO HOLDING ONLY ONE CLASS OF LICENCE ON EACH VEHICLE. I.E. A CLASS C LIVERY (SCHOOL TRANSPORTATION) CANNOT ALSO HOLD A CLASS A (LIMOUSINE) LICENCE.

<u>RECOMMENDATIONS RESPECTING THE ISSUANCE OF TAXICAB OWNER'S LICENCES</u>

1. THAT THIRTY-THREE (33) ADDITIONAL TAXICAB OWNER'S LICENCES BE AUTHORIZED FOR ISSUANCE. THIS INCLUDES THE EIGHT (8) LICENCES AUTHORIZED BY CITY COUNCIL FOR ISSUANCE IN 1988. ALL LICENCES ARE TO BE ISSUED AFTER SEPTEMBER 1, 1989.

THE COMMITTEE IS RECOMMENDING THE ISSUANCE OF THESE NEW TAXICAB OWNER'S LICENCES PARTIALLY IN RESPONSE TO THE **LIMITING OF CLASS C LIVERY LICENCES AND REDUCTION THROUGH ATTRITION.**

...continued

2. THAT A FULL ANALYSIS BE CARRIED OUT COVERING ALL FACETS OF THE TAXICAB MARKET. THE STUDY WILL INCLUDE TAXICAB INDUSTRY INPUT, PUBLIC INPUT, THE EFFECTS OF POPULATION, COMMERCIAL/INDUSTRIAL GROWTH, IMPACT OF NEIGHBOURING MUNICIPALITIES TAXICABS, THE EFFICIENCY OF THE EXISTING TRANSIT SYSTEM, EXPANSION OF GO TRANSIT, AIRPORT EXPANSION AND ADDITIONAL FACTORS SUCH AS RESPONSE TIME TO CALLS WITHIN THE TAXICAB INDUSTRY AND JURISDICTIONAL INFRINGEMENT WITHIN HAMILTON-WENTWORTH. **IT IS RECOMMENDED THAT THIS BE REFERRED TO THE TAXI ADVISORY COMMITTEE.**

3. (A) THAT A SPECIAL STREET INDEX (TOWNHOUSES ETC.) BE CREATED AND PUBLISHED BY THE CITY UTILIZING ASSESSMENT ROLLS ETC.

(B) THAT THE TRANSPORT AND ENVIRONMENT COMMITTEE BE ASKED TO INVESTIGATE THE FEASIBILITY OF ESTABLISHING NUMERICAL RESIDENTIAL IDENTIFICATION ON UTILITY POLES THROUGHOUT THE CITY.

4. THAT THE TAXICAB INDUSTRY TOGETHER WITH THE CITY AGAIN REQUEST A MEETING WITH THE INSURANCE INDUSTRY TO REQUEST THEM TO CONSIDER REVISION OF THEIR RATES TO BETTER REFLECT HAMILTON'S IMPROVEMENT WITH RESPECT TO INSURANCE CLAIMS.

RECOMMENDATIONS RESPECTING TAXICAB LEASING

1. AGGRESSIVE APPROACH TO THE INSURANCE INDUSTRY TO RECOGNIZE THE INDIVIDUAL LESSEE AS AN "OWNER" OF HIS OWN VEHICLE.

2. THAT THE ADMINISTRATION FEES FOR LIMITED INTEREST AGREEMENTS (TAXICAB LEASING) BE SET AT: INITIAL AGREEMENT $50 SAME CAR
RENEWAL AGREEMENT $50 SAME CAR
INITIAL AGREEMENT $175 ADDITIONAL CAR
RENEWAL AGREEMENT $175 ADDITIONAL CAR

THAT ALL OF THE ABOVE RECOMMENDATIONS BE SUBMITTED TO CITY COUNCIL CONCURRENTLY WITH THE BY-LAWS.

2(a)

MAYOR'S OFFICE

Memorandum

****

MEMO TO: Members of the Legislation Committee DATE: August 15, 1989

FROM: Mayor Robert M. Morrow

RE: CIVIC RECEPTION FOR THE INTERNATIONAL OLYMPIC COMMITTEE MEMBERS AT THE HAMILTON AIRPORT

We have recently been advised by the Toronto Olympic Council, who are organizing the bid to bring the Olympics to Toronto in 1996, that 44 of the International Olympic Committee members from around the world will be departing along with other officials from Hamilton Airport at approximately 1:30 p.m. on Thursday, August 24, 1989.

This provides an excellent opportunity for the City of Hamilton, along with the Region of Hamilton-Wentworth, and the federal government, to send these representatives off in style by providing a civic reception at the Airport before their departure on a charter plane to Puerto Rico.

I therefore recommend that the City of Hamilton fund this reception in the amount of $3,200.00, to be equally matched by the Region of Hamilton-Wentworth and the federal government.

The cost of this reception for approximately 200 people is not to exceed $3,200.00, and is to be funded from the Unclassified Expenditure account as recommended by the City Treasurer.

Background:

The City of Hamilton will benefit if the 1996 Olympic Games come to Toronto, as many of our facilities will be used in the games scheduling. In accordance with our continuing plan of assisting Toronto wherever possible to help win the 1996 bid, this is an excellent opportunity to welcome these IOC members, their wives, representatives of the federal government and the Toronto Olympic Committee. The format essentially will be a brunch reception catered by a local company and held at the Hamilton Airport, which will be appropriately decorated with flags and flowers.

RMM/DAC/gs

2(b)

MAYOR'S OFFICE

Memorandum

****

MEMO TO: Members of the Legislation Committee DATE: August 15, 1989

FROM: Mayor Robert M. Morrow

RE: CIVIC RECEPTION FOR THE ONTARIO ADVISORY COUNCIL ON MULTICULTURALISM AND CITIZENSHIP

I am pleased to advise that the Ontario Advisory Council on Multiculturalism and Citizenship, a body of 60 representatives from all over Ontario who have been appointed by Order-in-Council to provide advice on multiculturalism, citizenship and race relations to government, will be meeting in Hamilton from September 21 to 23, 1989, at a full council conference.

Accordingly, I recommend that the City of Hamilton host a small reception outside the Council Chambers on Friday, September 22, in conjunction with the Region, and also that the City of Hamilton provide refreshments during the Council's deliberations at City Hall on September 21 and 22 as required.

The cost of this reception and meetings is not to exceed $300.00, and upon the recommendation of the City Treasurer, should be funded from the Unclassified Expenditure account.

Background:

In the past two years the full Advisory Council has met in Ottawa, North Bay, London and Toronto. On each occasion, the host city has held a small civic reception of welcome at its municipal headquarters for the members, the members of the City Council, and other community representatives. The Hamilton reception will take place from 5 to 6 p.m. on Friday, September 22 outside the City Council chambers.

RMM/DAC/gs

2(c)

MAYOR'S OFFICE

Memorandum

****

MEMO TO: Members of the Legislation Committee DATE: August 15, 1989

FROM: Mayor Robert M. Morrow

RE: ONTARIO ARTS COUNCIL BOARD VISIT
IN HAMILTON ON THURSDAY, SEPTEMBER 21, 1989

The Ontario Arts Council has chosen Hamilton for the site of their next board meeting, and an opportunity to meet with their corporate and artistic clients who provide and receive important arts funding from the Council.

As part of the itinerary, I am recommending that the Corporation of the City of Hamilton host a luncheon for approximately 100 people at the Convention Centre on Thursday, September 21.

The cost of the luncheon is not to exceed $1800.00, and is to be funded from the Unclassified Expenditure account.

Background:

The Ontario Arts Council, which is an agency with the Ontario Government, is in charge of promoting the arts, and has recently undertaken a study entitled "Moving Forward - A Five-Year Strategic Plan." In conjunction with the plan, the Ontario Arts Council is visiting various selected municipalities to familiarize themselves concerning the community, as well as to encourage suppport from municipalities for increased funding and the five-year plan. The four key areas considered essential for survival of the province's arts community are: financial stabilization, audience development, creative growth, and policy research. This one-day visit to Hamilton will allow the Ontario Arts Council to meet with all members of Council, corporate supporters of the arts, and all individuals who applied for grants from the Hamilton area, as well as all arts organizations from the area. In the evening the Ontario Arts Council Board will attend the Opera Hamilton production at Hamilton Place.

RMM/DAC/gs

RMM

3.

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: E. A. Simpson
City Clerk

DATE: 1989 August 10
COMM FILE:
DEPT FILE:

SUBJECT:

Taxi Advisory Committee

RECOMMENDATION:

That approval be given to the creation of a "Taxi Advisory Committee" to replace the former Taxi Task Force and the existing Taxicab Legislation Review Sub-Committee with the attached Terms of Reference.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

At its meeting held 1989 July 25, City Council approved that the Legislation Committee be asked to strike a Taxi Advisory Committee to deal with all facets of the taxi industry and that this Committee report directly to the Legislation Committee.

The Secretary and support staff of the Licencing Division and the City Solicitor's Office will act as resource personnel. Regular meeting dates and times should be determined and it is suggested that in order to accommodate the Taxi Industry, meetings be held during the lunch hour with lunch to be provided.

Terms of Reference
for the
Taxi Advisory Committee

Purpose:

To advise and make recommendations to the Legislation Committee on taxicab issues and concerns which may affect the taxi industry.

Mandate:

To examine and review issues and concerns relating to all facets of the taxi industry, including but not limited to the following:

1. Downtown Parking
2. Utilization of Municipal Carparks
3. Taxi Fare Increase
4. Taxicab Advertising
5. Insurance
6. Taxi Driver Safety
7. Dress Code
8. Infringement of Jurisdiction
9. Promotional Schemes
10. Market Analysis
11. Hamilton Airport
12. Bus Terminal
13. Quarterly Newsletter Industry/City Dialogue
14. Regionalization
15. Taxi Driver/Owner Annual Recognition
16. Taxi Memorabilia/Museum
17. LLBO Delivery
18. Education Programme
19. Enforcement/Set Fines - Provincial Offenses Act
20. Taxicab Inspection Office/Classroom

Composition of Committee:

The Taxi Advisory Committee shall be composed of:

(a) Three Members of City Council one of which shall be a Member of the Legislation Committee

(b) A representative of each Taxi Brokerage

(c) A representative of the Taxi Owners Association

(d) One Cab Driver/Lessee

(e) One Taxi Owner who is not a member of the Taxi Owners Association

(f) Three Citizen Representatives

NOTE: The Chairman shall be a Member of City Council

Communication Reporting Procedures:

1. The Taxi Advisory Committee will report directly to the Legislation Committee.

2. The Legislation Committee may refer items to the Taxi Advisory Committee.

3. A Taxi Advisory Committee member may bring forward an item to be considered by the Taxi Advisory Committee.

4. Individual persons and/or groups may request, through the Chairman of the Taxi Advisory Committee, to make a presentation.

5. Public meetings relating to the Taxi Industry will be held under the auspicious of the Taxi Advisory Committee.

FOR ACTION

4.

REPORT TO: Chairman and Members
Legislation Committee

FROM: E. A. Simpson
City Clerk

DATE: 1989 August 14
COMM FILE:
DEPT FILE:

SUBJECT:

Civic Awards

RECOMMENDATION:

That a special Ad Hoc Committee composed of the Chairman and two other members of the Legislation Committee be established to review and finalize the recommendations of the former Task Force which was created to review the Civic Award Policy and Regulations and report back to the Legislation Committee at its meeting scheduled for 1989 October 23.

E. A. Simpson

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

Included in the list of "Outstanding Items" of the Legislation Committee is an item dealing with a review of the Civic Award Policy and Regulations.

In researching this matter, it was learned that the Legislation Committee at its meeting held 1989 February 01 established a Task Force comprised of Alderman Agro as Chairman along with Alderman Murray and former Alderman Wheeler.

The Task Force met 1988 May 18 and approved recommendations for an amendment to the City's policy on civic awards.

The Task Force agreed to meet once again to review and finalize its recommendations before submitting them to the Legislation Committee. However, because of the summer vacation period and impending civic election, the Task Force never got around to finalizing its report.

One or two meetings of the Ad Hoc Committee should be sufficient to finalize recommendations for amendments to the City Civic Award Policy for implementation in 1990.

FOR ACTION

5.

REPORT TO: Mr. J. D. Thompson
Secretary, Legislation Committee

FROM: Mr. K. E. Avery
Deputy City Clerk

DATE: 1989 August 4
COMM FILE:
DEPT FILE:

SUBJECT: School Support Change

RECOMMENDATION:

As requested by the Assessment Department and as provided for in Section 123(a) of the Education Act, dealing with the correction of a clerical error in respect of school support, that the taxes for municipal property known as 38 Emerson Street in the City of Hamilton, be directed to the Separate School Board.

FINANCIAL IMPLICATIONS: *N/A*

BACKGROUND:

See attached

Ontario

ASSESSMENT REGION NO 19
Regional Municipality of
Hamilton-Wentworth

RÉGION D'ÉVALUATION N° 19
Municipalité régionale de
Hamilton-Wentworth

119 King Street West
3rd Floor
P.O. Box 2112
Hamilton, Ontario
L8N 3Z9

119 rue King ouest
3e étage
C.P. 2112
Hamilton (Ontario)
L8N 3Z9

(416) 521-7469
Fax (416) 521-7206

(416) 521-7469
Fax (416) 521-7206

RECEIVED
JUL 20 1989
CITY CLERKS

July 17th, 1989

Mr. E.A. Simpson
Clerk
City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sirs,

RE: School Support Change. 38 Emerson Street, Hamilton
Roll# : 25 18 010 043 04000 0020

It has been brought to our attention by the Hamilton Roman Catholic Separate School Board that the School Support on the 0020 tenancy record is incorrect on the 1988 assessment roll for the above mentioned property.

This resulted from a clerical error in updating our records. Steven Sardo is the sole tennant who is Roman Catholic and supports the Separate School System.

I am requesting that you take the appropriate action under Section 123(1) of the Education Act, 1980, to have the taxes on the above mentioned property directed to the Separate School Board.

Sincerely,

E.G. Beres, M.I.M.A.
Assessment Commissioner

cc: J. Wintar
Administrator Assessment & Transportation

EGB:tg

6(a)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 August 15
COMM FILE:
DEPT FILE:

SUBJECT:

Photographic Exhibit - "Israel Today 4 000 + 40 years of History"

RECOMMENDATION:

That the request of the Jewish Community Centre, Hamilton-Wentworth and Area for permission to display a photographic exhibit on Israel entitled "Israel Today 4 000 + 40 Years of History" in the second floor foyer area of City Hall, be approved.

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

This Exhibit includes 70 pictures in a medium size, which will be coming from Winnipeg and will be available for 2 to 3 weeks in September.

6(4)

FOR ACTION

REPORT TO: Mr. J. D. Thompson
Secretary, Legislation Committee

FROM: Mr. R. Sugden, Director
Culture and Recreation Department

DATE: 1989 July 18
COMM FILE:
DEPT FILE:

SUBJECT: **USE OF CITY COUNCIL CHAMBERS - HAMILTON BASEBALL/SOFTBALL COUNCIL**

RECOMMENDATION:

That approval be given for the use of the City Council Chambers by the Hamilton Baseball/Softball Council for the purpose of conducting their Annual General Meeting.

The general meeting will take place on Sunday, September 17, 1989, from 1:00 p.m. to 4:00 p.m. and will involve organizations from across the City.

R. Sugden, Director
Culture and Recreation Department

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

1. The Baseball/Softball Council operates in conjunction with the Department of Culture and Recreation to co-ordinate information to bat and ball groups in the community.

2. The Council's current constitution is awaiting final changes before it is presented to the Parks and Recreation Committee for approval.

AG:bs

c.c. R. Morrison, City Clerk's Department

FOR ACTION

6(c)

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 August 15
COMM FILE:
DEPT FILE:

SUBJECT:

International Joint Commission

RECOMMENDATION:

That the request of the International Joint Commission to use the Council Chambers on Saturday afternoon 1989 October 14 for a public meeting regarding the Commission's study on fluctuating water levels in the Great Lakes and St. Lawrence River, be approved.

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

Approximately $110 in staff overtime.

BACKGROUND:

6(d)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 August 15
COMM FILE:
DEPT FILE:

SUBJECT:

Christmas Seal Campaign

RECOMMENDATION:

That the request of the Lung Association, Hamilton-Wentworth for permission to fly their Cross of Lorraine flag at City Hall during the months of November and December in recognition of the Christmas Seal Campaign, be approved.

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

FOR ACTION

6(c)

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 August 15
COMM FILE:
DEPT FILE:

SUBJECT:

Ontario Advisory Council on Multiculturalism and Citizenship

RECOMMENDATION:

That the request of the Ontario Advisory Council on Multiculturalism and Citizenship for permission to use the Council Chambers on 1989 September 21 and September 22 along with Committee Rooms 219 and 233 on September 21 for their Annual Conference, be approved.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

68

Corporation of the City of Hamilton

Memorandum

TO: Chairman and Members
Legislation Committee

YOUR FILE:

FROM: John Thompson, Secretary
Legislation Committee

OUR FILE:
PHONE: 526-2729

SUBJECT: DISPLAY OF MONEY DRESS

DATE: 1989 August 16

Attached for the Committee's consideration and recommendation is a copy of a letter from Ms. Dianne M. Sorman, Vice-President of Sorman's Fashions who is also representing the Leman Brothers Muscular Dystrophy Foundation of Hamilton dated 1989 July 27 requesting permission to display a money dress in City Hall for 5 to 6 months.

John Thompson

JT:mjw

Attachment



AUG 0 2 1989

Sorman's Fashions

321 KING STREET EAST, HAMILTON, ONTARIO L8N 1C1 - TELEPHONE (416) 522-

27 July 1989

Mr John Thompson
Secretary
Legislation Committee
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

REGARDING THE DISPLAY OF THE MONEY DRESS IN THE CITY HALL BUILDING

Dear Mr John Thompson,

I would like to take this opportunity to introduce myself, my name is Dianne Sorman and I am representing SORMAN'S FASHIONS and the LEMAN BROTHERS MUSCULAR DYSTROPHY FOUNDATION of Hamilton Ontario to you.

In April of this year, the Leman Brothers Muscular Dystrophy Foundation in co-operation with Sorman's Fashions held a charity fashion show in the Royal Connaught Hotel, to raise funds to fight muscular dystrophy. Named Visions, for the past three years, has been quite successful in this great cause. For each show Sorman's Fashions has been known to create an one-of-a-kind unique design to dazzle and amaze Hamilton.

This year's design created by Bozena Sorman was inspired by the fading Canadian one dollar bill. With the extinction of the one dollar bill, Bozena Sorman was determined to capture its value and beauty in an unique design. Made of Canadian one dollar bills and loonies upon an emerald green velvet dress titled, "The Old Meets The New". Enclosed is a press report by the Hamilton Spectator of the event.

After a meeting with Hamilton's mayor Robert Morrow on July 20th 1989, we discussed the possibility of displaying the money dress within the City Hall building for a period of six months, commencing at your earilest convenience. The location of the display can be decided by you and your staff of what is the best place for it. It will be enclosed and sealed in a glass case for its protection, this has yet to be worked out by us and we'll inform you of its outcome as soon as possible.

With the display of the money dress we hope to promote SORMAN'S FASHIONS as the creators of the unique design, the LEMAN BROTHERS MUSCULAR DYSTROPHY FOUNDATION as the reason for the design to raise funds for muscular dystrophy and the CITY OF HAMILTON as the originating city of the money dress.

We are also planning a tour for the money dressto undergo all major cities in Canada since it is a Canadian money dress, it deserves to be seen by all Canadians. With this in mind I've talked with Mr Glen Cumming the Director of the Art Gallery of Hamilton on this matter, and he advised me that my best interest would lie in touring the many city halls throughout the country. Concentrating on this idea we would hold a red ribbon cutting ceremony with the mayor of each city and gala opening with major city figures and the media to launch the fund raising event. Starting with Hamilton for a period of six months and following a one month period with each city. The proceeds and time periods of this fund raising event will be discussed in further detail at a later date by all parties involved to accommodate all interests.

I would like to thank you for your time in considering this letter. If you have any questions please do not hesitate to call me at (416) 522-0201 between 9:00 a.m. - 5:00 p.m. Monday to Friday.

Sincerely,

Dianne M. Sorman
Vice President
SORMAN'S FASHIONS

Loony form of fashion at fund-raiser show

By LINDA HAIST
Special to The Spectator

MUSCULAR DYSTROPHY research received it's annual boost from Hamilton's fashion industry last night when Visions '89 hit the runway at the Royal Connaught.

The fashion show, sponsored for the last three years by Lernan Brothers Muscular Dystrophy Foundation and fashion designer Bozena Sorman, not only clued the public into what's hot for spring, but gave them a chance to see some favorite celebrities strut their stuff.

Some of the biggest laughs of the evening came when radio announcer Paul Hanover did a little bumping and grinding in an Italian suit and CHCH TV's Ken Welch shyly manoeuvred his way down the runway.

Show organizers didn't forget the serious fashion followers. Karola Originals gave the public its first view of that company's new off-the-rack line that includes jungle print dresses and pinstriped city shorts.

The Lauren Julian Design Group grabbed the audience's attention with a simple black sheath that had an unusual cut-out neckline.

Mini skirts and mini dresses were shown throughout the show. One was a jumper cut low under the arms and another a vivid red, tailored dress.

The latest in lingerie and bathing suits came from Lingerie Treasures and Rainbow Now respectively.

Wedding dresses modelled for Bailey's Bridal Boutique, Rainbow Now and Sorman's Fashion included traditional white satin gowns with lots of beadwork, appliques and sequins to champagne pink dresses.

For the past two years, Sorman has stolen the show with dresses made from steel. This year she switched to paper and stole the show again, offering as grand finale a dress made of dollars bills and trimmed with a fringe of loonies.





☐ The mini skirt look, left, and Spectator publisher Gordon Bullock escorts Joanne Gamble, wearing dollar bills and loonies.

FOR ACTION

7(a)

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 August 15
COMM FILE:
DEPT FILE:

SUBJECT:

Civic Awards - Canoeing

RECOMMENDATION:

That civic gold rings be warded to Quincy and Terry Hamilton who won the 1988 Canadian National Sprint Racing Canoe Championship in the Junior Mens 1 000 metre event which was held 1988 August 20.

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

$380 total. Sufficient funds available in Civic Awards account.

BACKGROUND:

The above Canadian Championships confirmed by the Canadian Canoe Association.

7(b)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 August 15
COMM FILE:
DEPT FILE:

SUBJECT:

Civic Awards - Conqueror II Drum and Bugle Corps

RECOMMENDATION:

That civic gold pins be awarded to the following members of the Conqueror II Drum and Bugle Corps who won the Ontario Provincial Championship in the Brass Trio event of the Individual and Small Group Championships held 1989 April 01.

Becky Shaw

Devon Kovacich

Mark Lawson

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

$70. Sufficient funding available.

BACKGROUND:

The above championships have been confirmed in writing by the Ontario Drum Corps Association.

7(c)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 August 15
COMM FILE:
DEPT FILE:

SUBJECT:

Civic Award - Cycling

RECOMMENDATION:

That a civic gold ring be awarded to Mr. Mark Orzel for winning the 1989 National Cyclocross Championship held 1988 December 11.

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

$190. Sufficient funding available.

BACKGROUND:

The above championship has been confirmed in writing by the Canadian Cycling Association.

7(d)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 August 15
COMM FILE:
DEPT FILE:

SUBJECT:

Civic Awards - Bowling

RECOMMENDATION:

That civic awards be made to the following team members of Youth Bowling Council Bowlers from Sherwood Centre for winning Provincial and Canadian Championships in the YBC Four Steps Championships.

David Birkby
Derek Dragomautz
Matthew Durka
Larry Lovelady
Michael Ragona

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

$380. Sufficient funding available in the 1988 Budget.

BACKGROUND:

The above championships have been confirmed in writing by the Hamilton and District Five Pin Bowlers Association.

8(a)

RE

JUL 17,

CITY CLERKS

July 12, 1989

Dear Sir/Madam:

The City of Vanier has indicated its intentions of having a permanent Francophone Association established in conjunction with the Association of Municipalities of Ontario at its last annual conference.

The main purpose of this Francophone Section would be to promote French language services in Ontario's municipalities. Already a great number of elected members and French speaking delegates are members of A.M.O., and an increasing number of municipalities are offering French language services. A central exchange of material and human resources would eliminate duplication of services and allow a greater comprehension between the two official languages. Organization of workshops in French could also be part of its mandate.

In order to establish such an important possible member association of the A.M.O. we urge you to fill out the attached questionnaire. We hope this will represent all areas of the province.

We have already met with the Secretary of State and we also met with the Ministry of Municipal Affairs and Office of the Francophone Affairs. We expect financial support from the province.

Our first meeting will be held on Monday, August 21 at the Royal York Hotel at 5:00 p.m. To obtain the room number please verify on the indicating board in the hall of the Royal York Hotel. Many thanks to the A.M.O. which has put a room to our use.

Sincerely,

Gisèle Lalonde

Gisèle Lalonde
Mayor

Att.

300, av. des PÈRES BLANCS AVE., VANIER, ONTARIO K1L7L5 746-8105

SETTING UP A FRANCOPHONE ASSOCIATION TO BE RECOGNIZED AS A MEMBER OF THE A.M.O.

1) Are you interested in being a member of this group?

YES _____ NO _____

2) If yes, would you like to sit on the Executive Committee?

YES _____ NO _____

Would your municipality agree to pay your expenses until the association receive grants?

N.B. - Please note that at the present time we are unable to notify you of the number of meetings to be scheduled. This will be done only when the said questionnaire will be received. However, a first meeting will be scheduled in the Fall '89 and/or in Spring '90 to prepare our first meeting to coincide with the general annual A.M.O. conference. This way, expenses will be minimized.

NAME: _____

TITLE: _____

MUNICPALITY: _____

TELEPHONE: _____

PERSONAL ADDRESS: _____

_____

TELEPHONE: _____

IMPORTANT

Please return this questionnaire before July 31, 1989. It will be a pleasure to welcome you in the association for it is vital for the promotion of French-speaking communities in Ontario.

Hoping to see you, Monday August 21st, at 5:00 p.m.

300, av. des PÈRES BLANCS AVE., VANIER, ONTARIO K1L7L5 746-8105

8(b)

Corporation of the City of Hamilton

Memorandum

****

TO: Chairman and Members
Legislation Committee

YOUR FILE:

FROM: John Thompson, Secretary
Legislation Committee

OUR FILE:
PHONE: 526-2729

SUBJECT: DECISIONS FOR LAKE ONTARIO

DATE: 1989 August 16

Attached for the information of the Members of the Committee is a copy of a brochure outlining one in a series of "Decisions for the Great Lakes" courses co-ordinated by Great Lakes Tomorrow.

The fee for the course is $225.00. The course will consist of 11 three-hour sessions on Thursday evenings at the Ontario Science Centre, Toronto beginning 1989 September 21.

John Thompson

JT:mjw

Attachment

AUG 1 1 1989

REGISTRATION

Name_____

Title/Affiliation: _____

Address_____

City _____ Postal Code _____

Phone (bus)_____ (home)_____

The fee for the course is **$225.00.** Spaces for the course are limited, so please let us know of your intent to register by September 10, 1989 by mail or phone. Registrations will be confirmed by September 14, 1989, after which registration fees will be due.

Mailing Address:

GREAT LAKES TOMORROW
403-720 Bathurst Street
Toronto, Ontario
M5S 2R4
(416) 536-9161

DECISIONS FOR LAKE ONTARIO

PURSUING THE ECOSYSTEM APPROACH TO WATER QUALITY ISSUES



One in a series of "DECISIONS FOR THE GREAT LAKES" courses co-ordinated by GREAT LAKES TOMORROW, a bi-national, nonprofit organization dedicated to the promotion of Great Lakes issues.

Great Lakes Tomorrow gratefully acknowledges the ONTARIO SCIENCE CENTRE co-sponsor of this course.

Yes, I am very interested in the "Decisions for Lake Ontario" course for the following reason(s):

_____

_____

_____

_____

I would like to use the course information in the following way:

_____

_____

_____

_____

I am or have been associated with the following groups and/or concerns (state those that relate to Lake Ontario):

_____

_____

_____

_____

Lake Ontario is an economic necessity to the industries and communities on its shore, a storehouse of natural phenomena, a source of recreation and personal wonder. Yet, it has its limits. Because of the many uses and demands on the Lake and its surrounding watershed, changes occur which affect the water quality and ultimately the lives and livelihood of those who depend on it. There is the danger that we can err in our actions because we do not fully understand the complexity of this natural system.

DECISIONS FOR LAKE ONTARIO...

"Decisions" will bring together people who wish to deepen their understanding of the environmental status of Lake Ontario in order to make important decisions which affect the Lake Ontario communities. In this unique educational forum, information and ideas can be presented and exchanged freely amongst Great Lakes experts, government officials, environmentalists, politicians, educators, industry, citizens' groups and the media.

There have been eleven **"Decisions"** courses held to date: seven relating to Lake Erie and four to Lake Ontario. A great deal of enthusiasm was generated at these courses, resulting in the formation of several active groups which continue to work for public, corporate and government awareness of Great Lakes issues. It is our hope that this course in Toronto will inspire its participants to take up similar challenges.

COURSE LOGISTICS

The course will consist of 11 three-hour, Thursday evening sessions, beginning September 21 and concluding November 30, 1989.

Each topic will be introduced by experts in the field and the sessions will encourage lively issue-oriented discussion, presented in a variety of formats (workshops, roundtables, role-play, panel debate...). Participants are given an opportunity to view local problems in a broader context, to learn effective ways to make their concerns known and their knowledge available, and to develop a network of business people, educators, and scientists who can work together to promote intelligent Great Lakes management. Relevant handout materials will be distributed in advance of each weekly session. The course is presented in three distinct yet interrelated parts, and as such, it is important to attend all 11 of the sessions.

The evening sessions will be held:

Thursdays 7:00 - 10:00 p.m.

Ontario Science Centre

770 Don Mills Road

(Don Mills Road and Eglinton Ave. East).

CORPORATE SPONSORS

Great Lakes Tomorrow would like to thank the following corporate sponsors of "Decisions for Lake Ontario":

- Abitibi-Price Inc.
- Esso Chemical Canada
- Boise Cascade Canada Ltd.
- Polysar Limited
- Canada Trust
- Polytainers Inc.

For further information please contact:

Alexandra Cunningham
Assistant Co-ordinator
Great Lakes Tomorrow
403-720 Bathurst Street
Toronto, Ontario
M5S 2R4
(416) 536-9161

Course Co-ordinator

Madelyn Webb, M.Sc., M.B.A.

Planning Team

Alexandra Cunningham, Assistant Co-ordinator

Marianna Catz, Special Projects Co-ordinator, Ontario Science Centre

Hooley McLaughlin, Staff Scientist (Biology), Ontario Science Centre

David H. Turpin, Biologist, Queen's University and Executive Board Member of Great Lakes Tomorrow

Steering Committee

Bill Andrews, Head of Environmental Science, Faculty of Education, University of Toronto

Jack Christie, Co-ordinator, Great Lakes Research, Ministry of Natural Resources, Picton

Tom Coape-Arnold, Program Co-ordinator, Remedial Action Plans, Ministry of the Environment, Toronto

Michael Gilbertson, International Joint Commission

Murray Greenfield, Director, Environmental Control, Dofasco Inc., Hamilton

Moyra Haney, Executive Director, Great Lakes International Festivals, Toronto

Michael Keating, Author and Journalist, Toronto

Leo Maarse, Director of Planning, Toronto Harbour Commission

Richard Moore, Landscape Architect, Moore-George Associates, Toronto

SESSION TOPICS

PART 1: AN INTRODUCTION TO THE GREAT LAKES SYSTEM

Part I of the course gives a general background to the Great Lakes - their global significance, both environmental and economic; their local significance to the Metropolitan Toronto Watershed; their geological origins and historic changes, changes in their biology, fisheries, wildlife, and human populations.

Session 1 - September 21

The Great Lakes in the Global Context

Session 2 - September 28

Lake and Landscape - How the Lakes Were Formed and How They Function

Session 3 - October 5

The Lakes in Transition - How the Lakes Have Changed

PART II CHALLENGES AND ISSUES

Part II of the course outlines the many challenges involved in cleaning up and maintaining the Lakes, including eliminating toxics, managing for fluctuating water levels, enhancing water quality, land uses (waterfront development and recreation...) and managing wastes. These issues will be examined from the scientific, legal, institutional and individual perspective.

Session 4 - October 12

The Toxics Challenge

Session 5 - October 19

Local Issues: The Toronto and Hamilton Clean-up

Session 6 - October 26

Highs and Lows - The Impact of Water Fluctuations in the Great Lakes

Session 7 - November 2

Land and Water Uses

Session 8 - November 9

Managing Our Wastes

PART III RESPONDING TO THE CHALLENGES - POLICY, PROGRAMS AND LEGISLATION

Part III of the course looks at the key players and the existing and possible future initiatives on the part of all involved, to address the problems previously identified, and move towards a sustainable Great Lakes system. How you can help, at home and in your work to make better decisions for the protection of the Great Lakes ecosystem?

Session 9 - November 16

Municipal and Industrial Initiatives

Session 10 - November 23

Government and Citizen Initiatives
Canada/US Relations and the Great Lakes

Session 11 - November 30

Steps to a Sustainable Great Lakes System

9.

CITY COUNCIL
HAMILTON, CANADA

Alderman Don Drury

71 MAIN STREET WEST L8N 3T4 • (416) 526-2733 • RES. (416) 545-7077 — WARD 3

15 August 1989

Chairman & Members,
Legislation Committee

Dear Fellow Aldermen:

RE: CITIZENRY ADDRESS TO CITY COUNCIL

The right of the average citizen to address his or her City Councillor about any issue of concern is one which we all fully support. Unfortunately, our present by-law does not permit the ordinary citizen the opportunity to address City Council, except in unusual circumstances. Though citizens are permitted an opportunity to make public presentations to the Standing Committees and Special Committees of City Council, there is seldom the opportunity to address all Councillors unless by chance event. I am proposing that we allow the ordinary citizen of Hamilton an opportunity to address City Council, on any topic of City business, in such a manner that will allow for the orderly conduct of business at City Council meetings and will not inhibit ordinary citizens from stating their views.

I am proposing that By-law No. 82-203 as amended by By-laws 83-55, 83-72, 83-88, 83-260, 83-273, 85-18 and 86-94 be amended to allow for the inclusion in section 7, titled "Order of Business", the inclusion of a new addition to the Order of Business that allows for "Citizenry Address".

I am suggesting to the Committee that the Order of Business can quite adequately handle a Citizenry Address during the Consideration of the Committee of the Whole Reports. Such Address can be limited to three (3) minutes, with no more than three (3) speakers per Council. This would add approximately ten (10) minutes to the running time of the regular City Council meeting and would allow the ordinary citizen the opportunity to address City Council on any topic of their choice, as long as it pertains to the jurisdiction of the City of Hamilton.

SELECTION OF SPEAKERS

I would humbly suggest that once this plan is approved,

- a public notice can be issued inviting any and all citizens of Hamilton to submit their names to the City Clerk within three (3) months. Following the three (3) month period,

- the City Clerk will draw by lot the schedule of speakers for the following year.

- No speaker may be permitted to address City Council more than once per year, and must be a resident or tax payer in the City of Hamilton.

- Once selected and scheduled, no alterations to the speaking schedule will be permitted.

- If the person is unable to attend, for example due to health reasons, they may provide the Clerk with a written statement which will be read by the Clerk in accordance with the acceptable time limits.

CONTENT

Each speaker will sign a notice that they intend to address City Council on City business. The Citizenry Address does not have to deal with any topic currently under discussion and the citizen may be interrupted at any time by the Chairman should it be felt that the citizen's comments are not in accordance with the spirit and intent of the purpose of the Address. For example, Addresses pertaining to the Perimeter Road, sewers, store hours, etc. are permissible, whereas discussions pertaining to the Federal or Provincial Governments should be restricted. Any interpretation as to what constitutes "City business" should be liberally interpreted.

TIME LIMITS

A three (3) minute Address by a citizen should afford them the opportunity to present an idea, an argument or an opinion. By limiting the speaker to one (1) opportunity per year, this will allow for a diversity of opinion, maximize the number of citizens allowed to address Council and prevent anyone from monopolizing the occasion.

REBUTTAL

If there are comments directed toward an individual Alderman or a Department a rebuttal of up to three (3) minutes should be permitted. If the comments are of a slanderous or libelous nature then they would of course, be ruled out of order and the offended party would have an opportunity to respond fully.

INTENT

The intent of this amendment to the by-law is to afford the ordinary citizen an opportunity to express their thoughts and opinions to the whole of City Council and should not be restricted by the agenda. They would not intrude upon the regular conduct of the Council business and would not take an excessive amount of time.

Yours truly,

Don Drury
Alderman, Ward 3

DD:sn

c.c. The Spectator
C.H.C.H. TV
C.H.M.L.
C.K.O.C.
C.H.A.M.
Hamilton Journal
Brabant Newspapers
Mr. E. A. Simpson, City Clerk
Mr. J. T. Thompson, Secretary, Legislation Committee

FOR ACTION

10.

REPORT TO: Mr. J. D. Thompson
Secretary, Legislation Committee

FROM: Mr. E. C. Matthews
Treasurer

DATE: 1989 July 13
COMM FILE:
DEPT FILE:

SUBJECT: **RESOLUTION FROM THE TOWN OF PARIS**

RECOMMENDATION:

That no action be taken on a request from the Town of Paris for support of a resolution which would permit municipalities to levy, on tax exempt properties, a special rate to recover the cost of fire protection based on assessed value.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

The Council of the Town of Paris has expressed concern that certain tax exempt properties (churches and schools) are receiving fire protection from municipalities without proper cost adjustments. The availability of this service enables them to reduce their insurance costs, yet they do not make any payments to the municipality supplying this protection. They are requesting support of a resolution which would permit the recovery of fire protection costs by way of a special levy against these properties based on their assessed values.

I agree that municipalities need to explore new sources of revenue and find new ways to help finance capital expenditures; however, the provision of fire protection at no cost to churches and schools is only one of several services provided by municipalities to these tax exempt bodies. For example, they also receive the benefit of Police protection, garbage collection, transit, and street lighting at no cost. These properties are classified as exempt from taxation and in my opinion, there is no more justification for recovering fire protection costs through a special levy than recovering any of the other costs for providing similar services. If a property is deemed to be exempt from taxation, it should be totally exempt. Otherwise, it becomes very arbitrary as to the recovery of certain expenditures from these exempt bodies.

Accordingly, I am recommending that no action be taken with respect to the resolution received from the Town of Paris .

The Corporation of the

TOWN OF PARIS

RECEIVED
APR 7 1989
CITY CLERKS

RESOLUTION

Proposed by ... D.A. Gibson ... No. 13

Seconded by ... J.E. Lawley ... March 7th ... 19 89

WHEREAS the Honourable Robert Nixon, Minister of Treasury and Economics has stated:

"The various demands on the Province limit its ability to address these needs on its own. New ways to help finance capital infrastructure must be explored."

Municipalities also need to explore new sources of revenue.

AND WHEREAS the municipality supplies fire protection that is chargeable to the rateable properties by taxes, and that this protection is supplied to all residences and properties;

AND WHEREAS certain tax exempt properties (schools and churches) receive fire protection and use its availability to reduce their insurance costs, without making any payment to the municipality supplying such protection;

AND WHEREAS local improvement costs may be assessed against tax exempt properties. The annual fire protection costs, including capital expenditures, are continuing without assessment against tax exempt properties;

Therefore be it resolved that a municipality supplying protection to a tax exempt property be permitted to levy a special rate or charges for the cost of such protection, based upon assessed value.

This Resolution is to be forwarded to the Hon. Robert Nixon, M.P.P., the Hon. John Eakins, Minister of Municipal Affairs, A.M.O., O.S.U.M., and all municipalities in the Province of Ontario.

20

I declare the resolution carried.

.....
Mayor.

Town of Paris
66 Grand River St. N.
Paris, Ontario N3L 2M2
Telephone: (519) 442-6324

March 22, 1989

To All Ontario Municipalities:

The Council of the Town of Paris has been concerned that churches and schools are receiving fire protection without proper cost adjustments.

Churches in the past supplied considerable community social functions that in some respects today have been assigned to Government. There also appears to be a proliferation of church identities.

School Tax under Section 63 is touted as being equal across the county or region. Using Brant County as an example, we have two townships who do not have a school within their boundaries. Their school tax is equal to a municipality that has schools within its boundaries. The difference is that fire protection is supplied by the municipality that has schools, and no cost is recovered from municipalities who do not have schools.

With this in mind, our resolution is requesting that tax exempt properties be levied a special charge towards these costs. This resolution was unanimously passed by Town Council.

We would appreciate it if you would advise the Town of Paris, your local M.P.P., the Minister of Municipal Affairs, and A.M.O. of your decision in this matter.

Thank you very much for your time and co-operation.

Yours truly,

Gloria Taylor

GT/sb

Gloria Taylor
Deputy-Clerk

cc: Hon. Robert Nixon
Hon. John Eakins
A.M.O.
O.S.U.M.

CA4 ON HBL AQS
C5IL2
1989

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

Mrs. J. McAnanama
Chief Executive Officer
Hamilton Public Library

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 September 12

N O T I C E O F M E E T I N G

Legislation Committee
Monday, 1989 September 18
9:30 o'clock a.m.
Room 233, City Hall

John Thompson, Secretary
Legislation Committee

JT:mjw

A G E N D A

A. DELEGATION

9:30 o'clock a.m. - HAMILTON CIVIC EMPLOYEES CHARITY COMMITTEE

Presentation on Bi-Annual Fund Raising Campaign

1. Approval of the Minutes of the Meeting of the Legislation Committee held 1989 August 21

2. ALDERMAN D. DRURY

Proposal to Change the Designation of Alderman to Councillor

URBAN MUNICIPAL
SEP 18 198
GOVERNMENT DOCUMENTS

3. ALDERMAN D. ROSS

Western Canada Mardi Gras Convention

NOTE: This item is being resubmitted for further consideration at the request of Alderman Ross.

4. RESOLUTIONS

(a) Parks and Recreation Committee

Request to the Province of Ontario to Waive the 10% Amusement Tax Charges to C.F.L. Teams in Ontario

(b) Mr. George R. McCague, M.P.P., Simcoe West - Private Member's Resolution

To Request Review of Bill 106 - An Act to Amend The Municipal Elections Act and The Municipal Act and to Study Ways to Prevent Difficulties Encountered in the 1988 Elections

(c) City of Brampton

The Vacant Lots in Residential Areas

5. APPLICATIONS FOR THE USE OF CITY HALL FACILITIES

(a) Director of Culture and Recreation

Public Meeting in Council Chambers to Present Draft Arena/Skating Rink Feasibility Study

(b) Mum Show Committee

Information Desk and Floral Display Re Mum Count Week, 1989 October 16 to October 20

(c) Annual Take Back the Night Walk Committee

City Hall Forecourt and 2nd Floor Foyer

(d) Canadian Abortion Rights Action League Hamilton-Burlington Branch

City Hall Forecourt, 1989 October 14

6. CIVIC AWARDS

Hamilton Amateur Wrestling Club

7. NEW BUSINESS

8. ADJOURNMENT

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

CA4 ON HBL A05
C 51L25
1989

1989 September 12

N O T I C E O F M E E T I N G

Legislation Committee
Monday, 1989 September 18
9:30 o'clock a.m.
Room 233, City Hall

John Thompson, Secretary
Legislation Committee

JT:mjw

URBAN MUNICIPAL
SEP 20 1989
GOVERNMENT DOCUMENTS

A G E N D A

A. DELEGATION

9:30 o'clock a.m. - HAMILTON CIVIC EMPLOYEES CHARITY COMMITTEE

Presentation on Bi-Annual Fund Raising Campaign

1. Approval of the Minutes of the Meeting of the Legislation Committee held 1989 August 21

2. ALDERMAN D. DRURY

Proposal to Change the Designation of Alderman to Councillor

3. ALDERMAN D. ROSS

Western Canada Mardi Gras Convention

NOTE: This item is being resubmitted for further consideration at the request of Alderman Ross.

4. RESOLUTIONS

(a) Parks and Recreation Committee

Request to the Province of Ontario to Waive the 10% Amusement Tax Charges to C.F.L. Teams in Ontario

(b) Mr. George R. McCague, M.P.P., Simcoe West - Private Member's Resolution

To Request Review of Bill 106 - An Act to Amend The Municipal Elections Act and The Municipal Act and to Study Ways to Prevent Difficulties Encountered in the 1988 Elections

(c) City of Brampton

The Vacant Lots in Residential Areas

5. APPLICATIONS FOR THE USE OF CITY HALL FACILITIES

(a) Director of Culture and Recreation

Public Meeting in Council Chambers to Present Draft Arena/Skating Rink Feasibility Study

(b) Mum Show Committee

Information Desk and Floral Display Re Mum Count Week, 1989 October 16 to October 20

(c) Annual Take Back the Night Walk Committee

City Hall Forecourt and 2nd Floor Foyer

(d) Canadian Abortion Rights Action League Hamilton-Burlington Branch

City Hall Forecourt, 1989 October 14

6. CIVIC AWARDS

Hamilton Amateur Wrestling Club

7. NEW BUSINESS

8. ADJOURNMENT

OUTSTANDING ITEMS
LEGISLATION COMMITTEE

	ITEM	ORIGINAL DATE	ACTION	STATUS
1.	Policy for Special and Public Meetings	1989 January 23	Staff	Report to Follow
2.	Policy for Use of Council Chambers	1989 January 23	Staff	Report to Follow
3.	Police Report on Licencing Function	1989 January 23	Regional Police	Report Pending
4.	Street Vendors Permit South West Corner King and James Streets	1989 April 13	Manager, Licencing Division	Report Pending
5.	Per Diem Rate	1989 April 13	Treasurer	Report Pending
6.	Gun Shop Operations	1989 June 19	Planning and Development Committee	Review Proceeding
7.	Licencing Tobacco Outlets	1989 June 19	Staff	Reports Pending
8.	Transient Flower Vendors	1989 June 19	Manager, Licencing Division	Report Pending
9.	Handbill Distributors	1989 June 19	Sub-Committee	Report Pending

10.	Election Procedures	1989 June 19	City Clerk	Report Pending
11.	Prohibition and Regulation of Fireworks	1989 July 17	Fire Chief	Report Pending
12.	Review of Civic Gifts	1989 July 17	Ald. Murray Ald. Copps	Report Pending
13.	Review Civic Award Policy and Regulations	1989 August 21	Ad Hoc Committee	Report to Follow

HAMILTON CIVIC EMPLOYEES CHARITY COMMITTEE, 71 MAIN STREET WEST, H

A.

HAMILTON PUBLIC LIBRARY

LOCAL 932, C.U.P.E.

ADMINISTRATIVE SUPPORT STAFF

HAMILTON PLACE

LOCAL 129, I.A.T.S.E.

ADMINISTRATIVE SUPPORT STAFF

CITY OF HAMILTON

LOCAL 772, I.U.O.E.

LOCAL 1041, C.U.P.E.

LOCAL 5, C.U.P.E.

LOCAL 167, C.U.P.E.

ASSOCIATION OF PROFESSIONAL AND ADMINISTRATIVE EMPLOYEES

ASSOCIATION OF DEPARTMENT HEADS AND DEPUTIES

September 1, 1989

Mr. J. Thompson
Secretary Legislative Committee
City Clerks Department
City Hall

Re: The Hamilton Civic Employee Charity Fund

Dear Mr. J. Thompson:

On Wednesday June 28 and Thursday June 29 the charity committee participated in an On-Site-Analysis. The following report is the end result of that workshop, any comments from you on this matter would be appreciated.

Once again it is approaching the time for our bi-annual Fund raising campaign.

This year it will take place from October 2 to October 6. Our objective will be to surpass the present level of support. Considerable time away from the work place will be required by all concerned and we ask for forbearance from yourselves, Mr. Sage and all Department Heads.

We would appreciate your assistance in this endeavour. There are several steps that we would like to take. Some include:

1. The use of the Council Chambers to make the presentations.

2. An opportunity for members of our Committee to speak to the Members of the City Council.

3. An opportunity for members of our Committee to speak to the Legislative Committee.

4. Any suggestions you may have to add strength to our campaign.

I look forward to hearing from you.

Yours very Truly,

Gayle Hampson
Chairperson Hamilton C.E.C.F

c.c. Alderman V. Agro, Chairman Legislative Committee

ON-SITE ANALYSIS

TABLE OF CONTENTS

GHOSTS FROM THE PAST	1.
INTRODUCTION	2.
MISSION STATEMENT	3.
BACKGROUND	4.
RECOMMENDATIONS	5.
APPENDIX A	6.
APPENDIX B	7.
APPENDIX C	8.
APPENDIX D	9.

Oct. 17 1945

CITY EMPLOYEES SET UP FUND FOR DONATIONS TO CHARITIES

Proceeds From Annual Picnic Given to Help Others — Board of Control Agrees to Plan For Appointment of Housing Supervisor

Cheques for $900 were presented at the meeting of the Board of Control this morning by officials of the Civic Services Federation, representing revenue from the civic picnic which will be forwarded to various local charities.

Set Up Fund

Included in this amount was a cheque for $100 presented to J. F. Berry, city clerk, for the civic employees' charity fund, which is being set up as a sort of community chest to which civic employees will contribute. From this donations will be made, instead of by individual appeals in any particular canvass.

The organizations to receive cheques are: Aged Peoples' Home, St. Mary's Orphanage, Sick Children's hospital, local union No. 167 charity, Hamilton Veterans' poppy fund, Hamilton centre, Red Cross; Felician Sisters' day nursery, Kiwanis boys' work, central and east end, Boys' Home, Girls' Home, Victorian Order of Nurses; St. Elizabeth Nursing Sisters, Women's Auxiliary to the Health Centre, Children's Shelter, Hamilton Fresh Air Fund, St. John's Ambulance Brigade, Council of Jewish Social Agencies, and Civic Employees' Charity Fund.

Officials of the Civic Federation and picnic committee making the presentations were: Norman Linnington, Robert Gilbert, Reg. Swanborough, J. M. Homer, Frank Smith and William Fraser.

Would Name Official

Approval was given by the Board to the report of the Hamilton housing committee in respect to a number of recommendations on conversion of former army huts at the Trades School to housing units.

One of these was that a full time superintendent be engaged to look after collection of rentals, attention to repairs, maintenance, etc.

Ald. Helen Anderson, chairman, explained that it had been felt this would be more disciplinary and binding on the tenants than having the collections made through the treasurer's department.

J. B. Ellis, secretary, said that work had been started on this project and the foreman in charge estimated that one hut would be ready in about six weeks' time. This would give 12 apartments. The suggested rental is $30 a month for three-room apartments and $35 for four-room apartments, to include heating.

It was suggested that the trustees of the Infants' Home and Salvation Army officials be thanked for their co-operation in holding the Home building for emergencies, but that they be notified it is not considered suitable for conversion to self-contained apartments.

MAR. 3 1947

CF HAMILTON - Organizations & Societies

MONDAY MARCH 3 194

Civic Workers To Aid Charity

Civic employees have formed an organization to be known as the Hamilton Civic Employees' Charity Fund, from which donations may be made to worthy causes. This will save considreable canvassing, and when the organization is in full operation, will result in a simple method of making contributions through payroll deductions.

James F. Berry, city clerk, has been named chairman; J. M. Homer vice-chairman and James Atwood secretary-treasurer. The committee will include two representatives from each payroll department.

So far the membership is over 400 and this will be increased as the work of the organization is completed. To date the Fire Department is heading the list with 196 of the 280 members being enrolled.

The current appeal of the Red Cross will be the first to come under this plan and wil receive a substantial sum.

Oct. 7 1952

CF HAMILTON - Organizations & Societies

Civic Employees Pledged $5,510 To Aid Charities

The Civic Employees Charity Fund statement released today shows that in 1952, employees of the city pledged a total of $5,510.60 for various charities.

James F. Berry, city clerk, is chairman of the fund, and E. G. Farr, president of the Federation of Civic Employees' Unions, is secretary-treasurer.

This list is as follows: Community Chest, $3,300; Cerebral Palsy Centre, $500; Red Cross, $650; Canadian Cancer Society, $125; St. John's Ambulance, $250; Poppy Fund, $50; Salvation Army, $100, plus $500 for the final payment of pledge for building fund; Mountain San, $100; Navy League, $100.

This list is of course in addition to the $720 civic picnic profits distributed to various local charities by the Federation of Civic Employees' Unions.

Oct 19 1946

CF HAMILTON - Organizations & Societies

Plan Is Approved For Charity Fund

Approval was given at a well attended meeting of civic employees last evening to the formation of the Civic Employees' Charity Fund. This means that in the future any appeals of a city wide or national character will be referred to the committee, and will do away with the need for individual canvass of employees.

Detective Sergt. Charles Boecker, told how a similar fund had worked very satisfactorily in the police department. The meeting last evening went on record unanimously as favouring this scheme. Approval was given to the members designating contributions of a stated amount through payroll deductions or by lump sum payment. Membership cards wil be issued.

The committee in charge will be made up of one representative from each civic union with an equal number of city officials. J. F. Berry, city clerk, who presided, agreed to carry on during the organization period as chairman. A meeting will be called at a later date to draft a constitution and select officers.

Jun. 13 1953

CF HAMILTON - Organizations & Societies

Civic Employee Charity Gifts Exceed $30,000

In the last 10 years, Ha Civic Employees' Charity Fur given more than $30,000 to charities, E. G. Farr, secr treasurer of the group which no cludes 950 members of the civic ices, said today.

Ten charities have benefited year to the extent of $5,413 thr payroll deductions — about $ more than last year — and in tion, the sum of $761.75 was don by non-members to the Commu Chest of which $400 was contribu by the Police Association.

With total administration expe being only $35, the following mo has been donated by civic employ To the Community Chest, 238.25; Cerebral Palsy C e, $5 Red Cross, $650; Canadian Can Society, $300; St. John Ambular corps, $250; Poppy Fund, $50; Mou tain San, $100; Navy League, $1 Parents' Association for Retard Children, $100; Boy Scout Associ tion, $125.

James F. Berry, city clerk, is pres dent of the fund, and the executiv comprises two members from eac of the civic employees' unions

INTRODUCTION

In conjunction with the United Way, an on-site analysis of the work of the Hamilton Civic Employees Charity Committee was conducted.

The functions of the Committee were reviewed and areas of challenge were noted. An exhaustive review of the Charity Fund operation over a sample 5-year period lead to the initiation of various recommendations to meet these concerns. (see Appendix D)

MISSION STATEMENT

The City of Hamilton's mission is to be a model community which facilitates a high quality of life for residents.

The Hamilton Civic Employees Charity Fund will contribute to the quality of life by providing a structure for channelling civic employees donations to aid in satisfying the charitable needs of the community.

BACKGROUND

The Hamilton Civic Employees Charity Fund was established approximately 40 years ago as a charitable fund raising organization. Money is collected through payroll deductions from Civic Employees. All money is allocated once a year to non-profit charitable organizations by donor and community requests. The Committee donates to approximately 80 organizations, 71 of which are supported through the United Way.

In reviewing a progress report of the past six years, we identified the following issues:

1) Committee structure
2) lack of recognition to donors
3) management of funds
4) exploring opportunities for increasing participation
5) practices, however, no policies
6) employee awareness

RECOMMENDATIONS

1. Mandatory appointment to the Committee by:

   - the C.A.O. of a department head
   - a department head of a senior level staff member
   - a union president of a senior member

2. Recognition be given to section for highest donation level (i.e. department challenge)

3. Disbursement of donations to fund be calculated bi-weekly rather than monthly for deposit into fund

4. Program be established for recruitment of new hires, part-time staff, retirees and other non-donors (see Appendix C)

5. Policy and procedure manual be implemented

6. Supplement questionnaire to obtain input on the work of the Charity Committee/Fund

7. Revenue Canada regulations be adhered to

8. At a minimum, budget for increases in revenue to maintain the current purchasing power of our fund (see Appendix B)

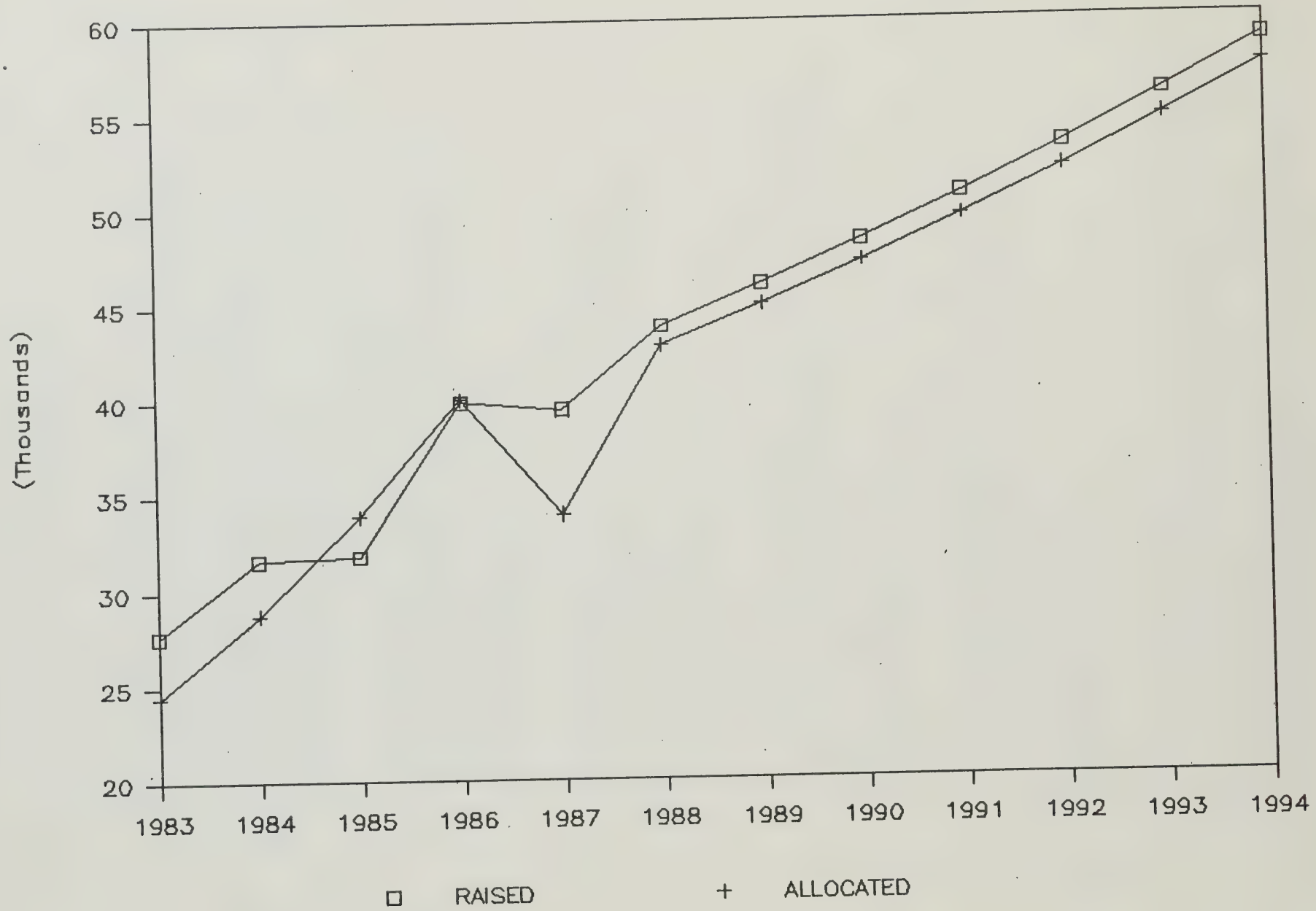
APPENDIX A

GLOBAL CHART "A"	1983	1984	% CHANGE	1985	% CHANGE	1986	% CHANGE	1987	% CHANGE	1988	% CHANG
TOTAL RAISED	27,651	31,650	14.5	31,814	.5	39,943	25.6	39,500	(1.1)	43,867	111
INTEREST	615	1,418	130.5	1,160	(18.2)	1,108	(4.5)	1,192	7.6	2,249	887
TOTAL REVENUE	28,266	33,068	16.9	32,974	(.2)	41,051	24.5	40,692	(.99)	46,116	133
AMOUNT ALLOCATED	24,450	28,760	17.6	33,935	17.9	40,075	18.1	34.011	(15.1)	42,854	26
SURPLUS/DEFICIT	3,816	4,308		(961)		976		6,681		3,262	
NUMBER OF EMPLOYEES	1,558	1,541	(1.08)	1,743	13.1	1,653	(5.2)	1,642	(.7)	1,635	(1
NUMBER OF DONORS	815	907	11.3	810	flat	698	(23.0)	600	flat	853	222
% OF PARTICIPATION	52.3	58.9		46.5		42.2		36.5		52.2	
% OF INFLATION		4.4		3.9		4.1		4.7		4.6	
AVERAGE GIFT	33.93	34.90		39.28		57.23		65.83		51.43	

5 YEAR TOTAL

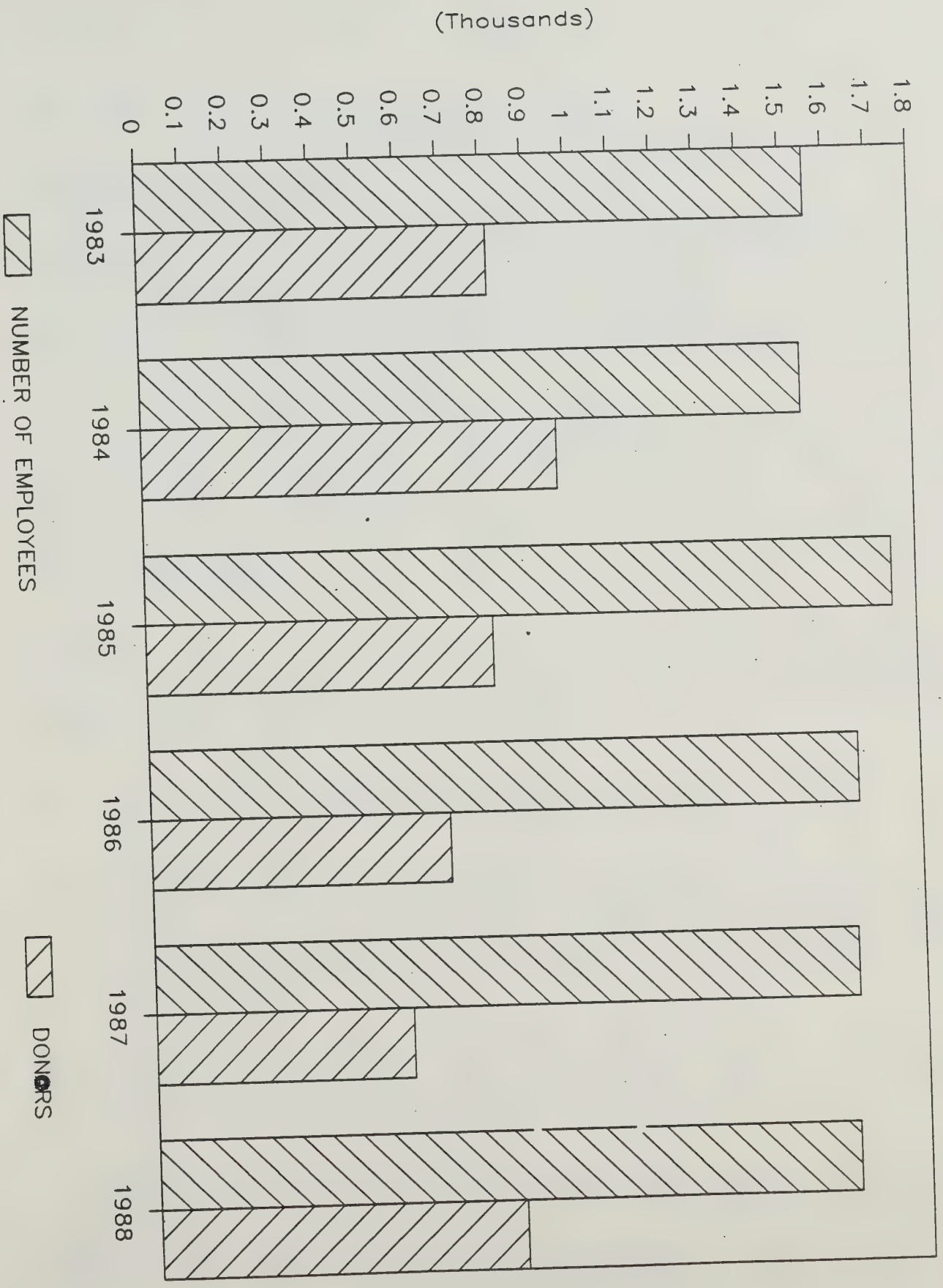
INTEREST	$ 7,742.00
SURPLUS/DEFICIT	17,967.00

APPENDIX B



SHOWS DART TRU[illegible] ALLOCATION

APPENDIX C


(Thousands)
0
0.1
0.2
0.3
0.4
0.5
0.6
0.7
0.8
0.9
1
1.1
1.2
1.3
1.4
1.5
1.6
1.7
1.8
1983
1984
1985
1986
1987
1988
NUMBER OF EMPLOYEES
DONORS

May 1987

ABOUT ON-SITE ANALYSIS

On-site analysis is the name given to a particular group analysis and problem-solving process developed by Robert J. Myers and introduced by him as a program of United Way/Centraide Canada in 1979. The purpose was to involve the staff and volunteers of member United Ways and Centraides in the development of rational systems and common criteria for analyzing operations and improving their effectiveness.

The success of that program led to further testing and refinement of the process by Bob Myers and a number of colleagues, including Gary McCarthy, Len Giffen, and most notably, Peter Ufford, who has been significantly involved from the beginning in the formal development of the process. The capacity of on-site analysis to help organizations beyond the United Way/Centraide system was first tested through the independent consulting business started by Peter in 1984.

Over the past seven years, a number of people have been trained to lead on-site analyses through participation as team members and leader training sessions. Today the on-site process is being used to help a variety of organizations and businesses in Canada, Australia and the United States to:

- assess organizational performance and effectiveness
- identify strengths and weaknesses
- obtain clarity and consensus about problems that need to be solved
- enhance individual commitment to organizational goals
- improve communication within the organization, and achieve consensus about solutions most likely to solve identified problems, including practical steps that can be acted on immediately to bring about desired changes within the organization.

Although on-site analysis has not at this time been copyrighted, it does follow a specific format involving a leader who has been trained in its particular methods of analysis and group problem-solving. A book describing these will soon be available.

The steps of on-site analysis relate to the specific purpose each is designed to serve. Although the process affords considerable flexibility to experienced leaders who understand it well, adaptations which may appear similar to elements of the on-site process can "short-circuit" both the learning that this process affords and the change that can result in the organization.

Those interested in learning more about the process or participating in leader training are encouraged to contact Bob Myers or Mary-Scot Magill at (613)236-7041 or Peter Ufford (604)224-3180.

Monday, 1989 August 21
9:30 o'clock a.m.
Room 233, City Hall

The Legislation Committee met.

There were present: Alderman M. Kiss, Acting Chairman
Mayor R. M. Morrow
Alderman D. Drury
Alderman G. Copps
Alderman F. Lombardo
Alderman T. Jackson
Alderman H. Merling
Alderman D. Ross

Absent with Regrets: Alderman V. J. Agro, A.M.O. Conference

Also present: Mr. L. Sage, Chief Administrative Officer
Mr. E. A. Simpson, City Clerk
Mr. D. Carson, Executive Assistant to the Mayor
John Thompson, Secretary

Approval of the Minutes of the Meeting held 1989 July 17

1. MINUTES

The minutes of the last regular meeting of the Legislation Committee held 1989 July 17 were received and adopted as circulated to the Members.

Civic Reception International Olympic Committee

2. CIVIC RECEPTION - INTERNATIONAL OLYMPIC COMMITTEE

As recommended in a memorandum from Mayor R. M. Morrow dated 1989 August 15, the Committee agreed to submit the following recommendation to City Council for approval.

(a) That approval be given to the action of the Legislation Committee in providing and co-hosting with the Regional Municipality of Hamilton-Wentworth and the federal government a civic reception for the members of the International Olympic Committee, their spouses, representatives of the federal government, the Toronto Olympic Committee and other dignitaries and officials on Thursday, 1989 August 24 at the Hamilton Civic Airport.

(b) That the City's share of the cost of this reception in an amount not to exceed $3 200 be charged to the Unclassified Expenditure Account.

NOTE: The City of Hamilton will benefit if the 1996 Olympic Games come to Toronto, as many of our facilities will be used in the games scheduling. In accordance with our continuing plan of assisting Toronto wherever possible to help win the 1989 bid, it was felt that it would be an excellent opportunity to welcome the International Olympic Committee members from around the world who were departing along with other officials from the Hamilton Airport on 1989 August 24.

The City's share of the cost of this reception will be equally matched by the Region and federal government.

Civic Reception Ontario Advisory Council on Multiculturalism and Citizenship

2. CIVIC RECEPTION - ONTARIO ADVISORY COUNCIL ON MULTICULTURALISM AND CITIZENSHIP

As outlined in a memorandum from Mayor R. M. Morrow dated 1989 August 15, the Committee agreed to submit the following recommendation to City Council for approval.

(a) That the City of Hamilton provide a small reception in conjunction with the Regional Municipality of Hamilton-Wentworth for the representatives of the Ontario Advisory Council on Multiculturalism and Citizenship outside the Council Chambers on Friday, 1989 September 22.

(b) That the City provide refreshments in the form of coffee, juice etc. during the Council's conference deliberations at City Hall on September 21 and September 22 as required.

(c) That the estimated cost of this reception and refreshments of approximately $300 be funded from the Unclassified Expenditure Account.

Civic Luncheon Ontario Arts Council Board

3. CIVIC LUNCHEON - ONTARIO ARTS COUNCIL BOARD

As outlined in a memorandum from Mayor R. Morrow dated 1989 August 15, the Committee agreed to submit the following recommendation to City Council for approval.

(a) That the City of Hamilton host a civic luncheon on Thursday, 1989 September 21 for members of the Ontario Arts Council Board.

(b) That the cost of this civic luncheon in an amount not to exceed $1 800 be charged to the Unclassified Expenditure Account.

NOTE: The Ontario Arts Council has chosen Hamilton as the site for their next board meeting. This one-day visit to Hamilton will allow the Ontario Arts Council to meet with all Members of City Council, corporate supporters of the arts, and all individuals who applied for grants from the Hamilton area, as well as all arts organizations from the area. Approximately 100 people will be attending the luncheon at the Convention Centre.

Taxi Advisory Committee Terms of Reference

4. TAXI ADVISORY COMMITTEE

As outlined in a report of the City Clerk dated 1989 August 10, the Committee agreed to recommend to City Council that approval be given to the creation of a "Taxi Advisory Committee" to replace the former Taxi Task Force and the existing Taxicab Legislation Review Sub-Committee with the following terms of reference.

Terms of Reference
for the
Taxi Advisory Committee

Purpose: To advise and make recommendations to the Legislation Committee on taxicab issues and concerns which may affect the taxi industry.

Taxi Advisory Committee

Mandate: To examine and review issues and concerns relating to all facets of the taxi industry, including but not limited to the following:

1. Downtown Parking
2. Utilization of Municipal Carparks
3. Taxi Fare Increase
4. Taxicab Advertising
5. Insurance
6. Taxi Driver Safety
7. Dress Code
8. Infringement of Jurisdiction
9. Promotional Schemes
10. Market Analysis
11. Hamilton Airport
12. Bus Terminal
13. Quarterly Newsletter Industry/City Dialogue
14. Regionalization
15. Taxi Driver/Owner Annual Recognition
16. Taxi Memorabilia/Museum
17. LLBO Delivery
18. Education Programme
19. Enforcement/Set Fines - Provincial Offenses Act
20. Taxicab Inspection Office/Classroom

Composition of Committee: The Taxi Advisory Committee shall be composed of:

(a) Alderman D. Drury, Chairman and Alderman F. Lombardo and Alderman D. Ross

(b) A representative of each Taxi Brokerage

(c) A representative of the Taxi Owners Association

(d) One Cab Driver/Lessee

(e) One Taxi Owner who is not a member of the Taxi Owners Association

(f) Three Citizen Representatives

NOTE: The Chairman shall be a Member of City Council

Communication Reporting Procedures:

1. The Taxi Advisory Committee will report directly to the Legislation Committee.

2. The Legislation Committee may refer items to the Taxi Advisory Committee.

3. A Taxi Advisory Committee member may bring forward an item to be considered by the Taxi Advisory Committee.

4. Individual persons and/or groups may request, through the Chairman of the Taxi Advisory Committee, to make a presentation.

5. Public meetings relating to the Taxi Industry will be held under the auspicious of the Taxi Advisory Committee.

Ad Hoc Committee on Civic Awards

5. AD HOC COMMITTEE ON CIVIC AWARDS

As outlined in a report of the City Clerk dated 1989 August 14, the Committee approved that a special Ad Hoc Committee composed of the Chairman and two other Members of the Legislation Committee be established to review and finalize the recommendations of the former Task Force which was created to review the Civic Award Policy and Regulations and report back to the Legislation Committee at its meeting scheduled for 1989 August 23.

Mayor Morrow and Alderman Kiss agreed to sit on this special Ad Hoc Committee with Alderman Agro as Chairman.

School Support Change

6. SCHOOL SUPPORT CHANGE

As outlined in a report from the Deputy City Clerk dated 1989 August 04, the Committee agreed to submit the following recommendation to City Council for approval.

As requested by the Assessment Department and as provided for in Section 123(a) of the Education Act, dealing with the correction of a clerical error in respect of school support, that the taxes for municipal property known as 38 Emerson Street in the City of Hamilton, be directed to the Separate School Board.

Use of City Hall Facilities

7. USE OF CITY HALL FACILITIES

Photographic Exhibit "Israel Today 4 000 + 40 Years of HIstory"

(a) Photographic Exhibit "Israel Today 4 000 + 40 Years of History"

As outlined in a report from the Secretary of the Committee dated 1989 August 15, the Committee agreed to submit the following recommendation to City Council.

That the request of the Jewish Community Centre, Hamilton-Wentworth and Area for permission to display a photographic exhibit on Israel entitled "Israel Today 4 000 + 40 Years of History" in the second floor foyer area of City Hall, BE APPROVED.

Hamilton Baseball/Softball Council

(b) Hamilton Baseball/Softball Council

As outlined in a report from Mr. R. Sugden, Director, Culture and Recreation Department, dated 1989 July 18, the Committee agreed to submit the following recommendation to City Council.

That approval be given for the use of the City Council Chambers by the Hamilton Baseball/Softball Council for the purpose of conducting their annual General Meeting to take place on Sunday, 1989 September 17 from 1:00 o'clock p.m. to 4:00 o'clock p.m.

International Joint Commission

(c) International Joint Commission

As outlined in a report from the Secretary of the Committee dated 1989 August 15, the Committee approved that the following recommendation be presented to City Council.

That the request of the International Joint Commission to use the Council Chambers on Saturday afternoon 1989 October 14 for a public meeting regarding the Commission's study on fluctuating water levels in the Great Lakes and St. Lawrence River, BE APPROVED.

Christmas Seal Campaign - Lung Association

(d) Christmas Seal Campaign - Lung Association, Hamilton-Wentworth

As outlined in a report from the Secretary of the Committee dated 1989 August 15, the Committee agreed to submit the following recommendation to City Council.

That the request of the Lung Association, Hamilton-Wentworth for permission to fly their Cross of Lorraine flag at City Hall during the months of November and December in recognition of the Christmas Seal Campaign, BE APPROVED.

Ontario Advisory Council on Multiculturalism and Citizenship

(e) Ontario Advisory on Multiculturalism and Citizenship

As outlined in a report from the Secretary of the Committee dated 1989 August 15, the Committee agreed to submit the following recommendation to City Council.

That the request of the Ontario Advisory Council on Multiculturalism and Citizenship for permission to use the Council Chambers on 1989 September 21 and September 22 as well as Committee Rooms 219 and 233 on September 21 for their Annual Conference, BE APPROVED.

Display of Money Dress

(f) Display of Money Dress

The Committee was in receipt of a letter from Ms. Dianne M. Sorman, Vice-President of Sorman's Fashions who is also representing the Leman Brothers Muscular Dystrophy Foundation of Hamilton dated 1989 July 27 requesting permission to display a money dress in City Hall for 5 to 6 months.

Following consideration, the Committee agreed to submit the following recommendation to City Council for approval.

That the request of Sorman's Fashions and the Leman Brothers Muscular Dystrophy Foundation of Hamilton for permission to display a money dress at City Hall to raise funds for muscular dystrophy, BE APPROVED.

NOTE: The money dress is made of the fading Canadian one dollar bills and loonies and is titled "The Old Meets the New". The dress will be enclosed and sealed in a glass case.

Canadian Polish Congress

(g) Canadian Polish Congress

As recommended in a report from the Secretary of the Hamilton Veterans Committee dated 1989 August 17, the Committee agreed to submit the following recommendation to City Council for approval.

That, in the event of inclement weather, the Canadian Polish Congress be permitted to use the Council Chambers on Sunday, 1989 September 03 to conduct a memorial service for the 50th Anniversary of the Declaration of War by Great Britain and France.

Cari-Can Festival

(h) Cari-Can Festival

As a result of a poll of the Members of the Legislation Committee, the following recommendation will be presented to City Council for final ratification.

That approval be given to the action of the Legislation Committee in authorizing the Cari-Can Festival Committee to use an area in front of City Hall for the judges and officials of the Cari-Can Parade which was held on Saturday, 1989 August 19.

Civic Awards

8. CIVIC AWARDS

As outlined in various reports from the Secretary of the Legislation Committee, dated 1989 August 15, the Committee agreed to submit the following recommendations to City Council for approval.

That civic gold rings be awarded to Quincy and Terry Hamilton who won the 1988 Canadian National Sprint Racing Canoe Championship in the Junior Mens 1 000 metre event which was held 1988 August 20.

That civic gold pins be awarded to the following members of the Conqueror II Drum and Bugle Corps who won the Ontario Provincial Championship in the Brass Trio event of the individual and Small Group Championships held 1989 April 01.

Becky Shaw

Devon Kovacich

Mark Lawson

That a civic gold ring be awarded to Mr. Mark Orzel for winning the 1989 National Cyclocross Championship held 1988 December 11.

That civic awards be made to the following team members of Youth Bowling Council Bowlers from Sherwood Centre for winning Provincial and Canadian Championships in the YBC Four Steps Championships.

David Birkby

Derek Dragomautz

Matthew Durka

Larry Lovelady

Michael Ragona

City of Vanier Francophone Association

9. CITY OF VANIER - FRANCOPHONE ASSOCIATION

The Committee was in receipt of correspondence and a questionnaire from the City of Vanier dated 1989 July 17 indicating its intentions of having a permanent Francophone Association established and recognized as a member of the Association of Municipalities of the Ontario and inquiring whether the City of Hamilton is interested in being a member of this proposed group.

On the recommendation of Alderman Ross, the Committee directed that the correspondence and questionnaire be received with no action as there does not appear to be a specific need for this service for Hamilton.

10. DECISIONS FOR LAKE ONTARIO

Decisions for Lake Ontario

The Committee was in receipt of a copy of a brochure outlining one in a series of "Decisions for the Great Lakes" courses co-ordinated by Great Lakes Tomorrow. The fee for the course is $225 and will consist of 11 three-hour sessions on Thursday evenings at the Ontario Science Centre, Toronto beginning 1989, September 21.

On the recommendation of Alderman Merling, the Committee agreed to recommend to City Council that Alderman G. Copps be authorized to attend this seminar.

11. RESOLUTION - TOWN OF PARIS

Resolution Town of Paris

As recommended in a report from the Treasurer dated 1989 July 13, the Committee agreed to recommend to City Council that "NO ACTION" be taken on the request from the Town of Paris for support of a resolution which would permit municipalities to levy, on tax exempt properties, a special rate to recover the cost of fire protection based on assessed value.

12. CITIZENRY ADDRESS TO CITY COUNCIL, ALDERMAN D. DRURY

Citizenry Address to City Council Alderman D. Drury

The Committee was in receipt of a report from Alderman D. Drury dated 1989 August 15 proposing that the ordinary citizen of Hamilton be given an opportunity to address City Council, in such a manner that will allow for the orderly conduct of business at City Council meetings and will not inhibit ordinary citizens from stating their views.

Alderman Lombardo addressed the Committee and stated that City Council should continue the present practice of allowing citizens to make public presentations to the Standing Committees and Special Committees of City Council only.

Following discussion, the Committee directed that Alderman Drury's proposal be received with no action.

Reconvening of Legislation Committee Meeting

THE COMMITTEE RECESSED UNTIL 11:00 O'CLOCK A.M. AT WHICH TIME ALDERMAN AGRO JOINED THE MEETING TO CONSIDER THE BALANCE OF THE REPORT OF THE TAXICAB LEGISLATION REVIEW SUB-COMMITTEE.

The Legislation Committee reconvened at 11:00 o'clock a.m.

There were present: Alderman V. J. Agro, Chairman
Alderman M. Kiss, Vice-Chairman
Alderman D. Drury
Alderman G. Copps
Alderman F. Lombardo
Alderman T. Jackson
Alderman D. Ross

Also Present: Mr. L. Sage, Chief Administrative Officer
Mr. S. J. Dembe, Manager, Licencing Division
Mr. D. Barrow, Licencing Division
Ms. L. Lawrence, City Solicitor's Office
Mr. J. Thompson, Secretary

Taxicab Legislation Review Sub-Committee Report

The Committee proceeded to review the balance of the report of the Taxicab Legislation Review Sub-Committee.

Mr. Dembe addressed the Committee and explained that all comments and recommendations received at the public meeting of the Legislation Committee held 1989 July 17 have been thoroughly and carefully reviewed by the Sub-Committee.

The Chairman then opened the discussion to receive comments from those in attendance.

Mr. M. Rudolph, Solicitor was in attendance and addressed the Committee regarding deferral of an applicant who reaches the top of the Taxicab Priority List, timing of implementation of the new regulations and the procedure to be followed for implementation.

He stated that the new taxicab regulations should not be imposed until an adequate period of time has elapsed to allow everyone in the Industry to be notified and to be made aware of the new regulations. He suggested that the new regulations not be imposed upon the Industry for at least 25 months rather than 2 consecutive calendar years. He also suggested that the new Taxicab Advisory Committee should firm up implementation procedures for the Licencing Committee before the new regulations are imposed.

Mr. Allan of the United Disabled Consumers was in attendance and spoke to the Committee on dispatching services for the disabled. He questioned why a taxicab broker cannot dispatch a taxi cab for the disabled. Mr. Dembe responded by advising the Committee that he asked Mr. Allan to write a letter to the Licencing Committee explaining his concerns. Mr. Allan also questioned why livery vehicles are required to transport disabled and also why a taxi broker cannot dispatch a livery vehicle to pick up disabled persons.

It was moved by Alderman Drury, seconded by Alderman Kiss and carried that Mr. Allan be placed on the Agenda of the next meeting of the Legislation Committee to discuss some of the regulations with respect to livery vehicle service for the disabled.

Mr. Scime spoke to the Committee and recommended that school trips should be offered and given to owners in the Taxi Industry first before providing the service by means of livery vehicles.

Taxicab Legislation Review Sub-Committee Report

Mr. Van Cleef spoke to the Committee and explained that he was opposed to capping Class "C" Livery Vehicles as well as the elimination of livery vehicles through the attrition process.

Mr. A. Ruzzuto, President of Blue Line submitted that the City should not issue more than 8 licences already authorized by City Council until the effect of the of the following is known:

(a) The number of livery licences which actually disappear through attrition.

(b) The transportation requirements of the school boards.

(c) The number of taxi owners who eventually lease out half their licence.

(d) The impact on taxi use of an increase in taxi fares.

He also felt that the City fees should be left at the current levels until a meter increase has been approved. He felt that reclassifying the livery licences is a good step but feels the legislation should be changed slightly to reflect current practice with respect to school transportation. As it stands now, the legislation promotes the use of livery vehicles to keep the licences in force.

Mr. Essleman was in attendance representing 134 taxi owners. He supported the proposal to only issue 8 plates at the present time in order to study their effect and impact and issue additional plates if warranted.

A member of the delegation spoke to the Committee and submitted that the City should delay the issuance of additional plates until such time as a thorough review and analysis of the Industry is completed to justify the need for the additional plates.

Following considerable discussion on all the comments made by the public and following a thorough review of the report of the Taxicab Legislation Review Sub-Committee, the Committee agreed to submit the following recommendations to City Council for approval.

1. That the following recommendations respecting the Taxicab Priority List, BE APPROVED.

   (a) (i) That, for clarification purposes, the "NOTE" in Sub-section (f) of Section 1 of the ELEVENTH Report of the Legislation Committee adopted by City Council 1989 July 25 which reads as follows, BE RESCINDED.

   "NOTE: All persons on the current Priority List will be exempted from this requirement. The current Taxi Priority List ended at applicant, George Hutchinson. The current Taxi Priority List is dated 1988 December 15."

   (ii) That the following recommendation, BE ADOPTED.

   "That all persons on the current Priority List as approved by City Council 1989 July 25 in adopting Section 1 of the THIRD Report of the Hamilton Licencing Committee be exempted from this requirement."

   NOTE: City Council at its meeting held 1989 July 25, in adopting Sub-section (f) referred to above, approved that an applicant can receive only one Taxi Owner's Licence from the Priority List. The above recommendation clarifies and implements the intent of the Legislation Committee.

Taxicab Legislation Review Sub-Committee Report

(b) That the fee for a Taxicab Owner's Licence from the Priority List be set at $3 000.

(c) That no name appear more than once on the Priority List. If a name appears more than once, only the name in the highest priority will remain on the List.

NOTE: This requirement to take effect on the date of the enactment of the By-law.

(d) That annual renewal of a Taxicab Owner Licence fee be set at $175.

NOTE: This requirement to take effect on 1990 January 01.

(e) That a notice be sent by registered mail to every applicant on the Priority List notifying them of any changes to the existing regulations governing the Priority List, as well as the placement of two large ads in The Spectator on enactment of the By-law.

(f) That the Licencing Committee be respectfully requested to consider permitting the deferral of the application of an individual, who reaches the top of the Taxicab Priority List, for a maximum of 2 years from the date of passage of the By-law in order that the applicant will have sufficient time to comply with the new regulations.

NOTE: It should be noted that this deferral only applies to individuals who reach the top of the List during the two years following enactment of the By-law.

For example, City Council approves the amended By-law on 1989 September 01. Subsequently, City Council approves the issuance of "additional" licences on 1990 September 01. Should an applicant reach the top of the List at that time and request a deferment, he can only be deferred for one year in order to meet the requirements.

(g) That the Licence Committee be required to publish in the local newspaper and post at the various taxi companies a "Public Notice of Intent" that the City will be issuing additional Taxi Owner's Licences and include a list of applicants to be considered.

(h) That the Licence Committee be asked to consider submissions from the public regarding the qualifications of applicants for a Taxi Owner's Licence from the Priority List.

(i) That, in order to better regulate and control Livery Vehicles which operate within the Taxi Industry, Taxicab Schedule 4 of the By-law No. 79-323 be amended so as to prohibit the following:

"A Taxicab Broker dispatching a call to a Livery Vehicle Driver other than for a school trip, excluding Class "B" Livery Licences."

(J) The Taxicab Advisory Committee be asked to give its earliest attention to a taxi fare increase.

2. That the following recommendations respecting Livery Licences, BE APPROVED.

(a) That the Livery Vehicle By-law be amended so that Limousine Services, Transportation for the Disabled and School Transportation be required to obtain a separate class of Livery Vehicle Licence.

Taxicab Legislation Review Sub-Committee Report

(b) That the following classes of Livery Vehicles, BE CREATED:

A. Class A (Limousine Services):

(i) That the City of Hamilton establish the minimum rate of fare or charge at $60 per hour or part thereof and each additional hour at $60 a part thereof or minimum $110 per diem rate.

(ii) That an owner of a Class A Licenced Vehicle shall:

(1) Provide to the Licencing Committee at the time that the Licence is issued, a Schedule of Fees to be charged in respect of the use of the vehicle and its driver,

(2) Charge fees for the use of the vehicle and its driver in accordance with Schedule of Fees so provided,

(3) Ensure that a driver operating the Owner's Vehicle charges fees in accordance with the Schedule of Fees so provided,

(4) Notify the Licencing Committee in writing of any proposed change in the Fee Schedule prior to invoking such change,

(5) Maintain a trip record which shall be kept in the licenced vehicle at all times and prepared immediately upon conclusion of a trip and which shall contain the following information:

(a) The name and address of the person hiring the vehicle.

(b) The time of the commencement of the trip and the time of the conclusion of the trip.

(c) The address of the place of origin of the trip and the address of the place of final discharge of the passengers at the conclusion of the trip, and

(d) The fee charged.

(6) Ensure that a driver operating the Owner's Vehicle maintains such trip record.

(7) Keep the trip record referred to in this Section for a period of at least twelve months, and

(8) Permit any person authorized by the Licencing Committee to inspect the trip record on the premises or to remove the trip record from the premises for the purposes of inspection.

(iii) A Driver of a Class A Licence shall:

(1) Charge fees in accordance with a Schedule of Fees provided to the Licencing Committee by the owner.

Taxicab Legislation Review Sub-Committee Report

(2) Maintain a trip record as noted above.

(iv) That there be no limitation on the number of Class A Licences.

(v) That there be a requirement for each vehicle to seat a minimum of six passengers and a maximum of nine passengers. This includes the driver.

(vi) (1) That a minimum wheel-base of not less that 110 inches be required in order to ensure full size vehicles.

(2) That historical vehicles older than 30 years and unmodified or unchanged from the original manufactured product be exempt from this requirement.

(vii) That there be a requirement that, as a condition of licence renewal, the applicant be required to submit to the City of Hamilton all contracts for transportation entered into for the preceding year.

B. Class B (Transportation for the Disabled):

(i) That the By-law require this service to be tied to the Darts Contract.

C. Class C (School Transportation):

(i) That the number of Class C licences be limited to and reduced by attrition as follows:

(a) That only Livery Vehicle Owners licenced for the immediate preceding year are eligible for licence renewal for the following year.

(b) That submission of Proof of the Current Year Local School Board Trips (including names and addresses of children) be required before renewal of each licence.

(c) That licences surrendered or not renewed not be reissued.

(ii) That Class C Livery Vehicles be prohibited from displaying taxicab roof signs, but be required to display the word Livery in lieu thereof.

(iii) That Class C Liveries be required to show numerical identification with the prefix "L" immediately before the number which shall be at least 6 inches in height, permanently affixed, and shall be clearly visible on both sides of the vehicle.

(c) That the licence fee for Class A, B and C Liveries be set at $175.

(d) That, upon issuance of a licence in any of the above classes (A), (B) or (C), a vehicle must be operational and functioning within 30 days.

(e) That all Classes (A, B and C) of Livery Licence shall not be transferable.

Taxicab Legislation Review Sub-Committee Report

(f) That all Classes of Livery Vehicles be restricted to holding only one class of licence on each vehicle. i.e. A class C Livery (School Transportation) cannot also hold a Class A (Limousine) Licence.

3. That the following recommendations respecting the issuance of Taxicab Owner's Licences, BE APPROVED.

(a) That twenty-five (25) additional Taxicab Owner's Licences be authorized for issuance after 1989 September 01.

NOTE: The above additional licences includes the eight (8) licences authorized by City Council for issuance in 1988.

The Committee is recommending the issuance of these new Taxicab Owner's Licences partially in response to the limiting of Class C Livery Licences and reduction through attrition.

(b) That a special street index (townhouses etc.) be created and published by the City utilizing assessment rolls etc.

(c) That the Transport and Environment Committee be asked to investigate the feasibility of establishing numerical residential identification on utility poles throughout the City.

4. That the following recommendations respecting Taxicab Leasing, BE APPROVED.

(a) That an aggressive approach be made to the Insurance Industry to recognize the individual lessee as an "owner" of his own vehicle.

(b) That the administration fees for limited interest agreements (Taxicab Leasing) be set at:

Initial Agreement	$ 50	same car
Renewal Agreement	$ 50	same car
Initial Agreement	$ 175	additional car
Renewal Agreement	$ 175	additional car

5. (a) That Schedules 4 and 4A to Licencing By-law No. 79-323, as amended, be consolidated and further amended to implement the recommendations contained in Sections 2, 3, 4 and 5 above.

(b) That the amending By-law be submitted directly to City Council concurrently with the recommendations contained in the above Sections.

6. The following recommendations were referred to the Taxi Advisory Committee.

(a) That the taxi owner's licence transfer fee be set at $1 500. This requirement to take effect on the date of enactment of the By-law.

Taxicab Legislation Review Sub-Committee Report

(b) That a full analysis be carried out covering all facets of the taxicab market. The Study will include Taxicab Industry input, public input, the effects of population, commercial/industrial growth, impact of neighbouring municipalities taxicabs, the efficiency of the existing transit system, expansion of Go Transit, airport expansion and additional factors such as response time to calls within the Taxicab Industry and jurisdictional infringement within Hamilton-Wentworth.

Adjournment

The meeting then adjourned.

Taken as read and approved,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

John Thompson, Secretary
1989 August 21

Typed by M. J. Walton

2.

CITY COUNCIL
HAMILTON, CANADA

Alderman Don Drury

71 MAIN STREET WEST L8N 3T4 • (416) 526-2733 • RES. (416) 545-7077 — WARD 3

22 August 1989

Chairman and Members
Legislation Committee

Dear Colleagues:

Over the past several months I have been approached by various individuals who have suggested that it is about time that the City of Hamilton change the designation of Alderman to Councillor.

There appears to be a fair amount of confusion as to the separate designations of Alderman and Councillor due to the two tier system of Government.

In addition, the term Alderman does carry a sexist connotation. While I recognize that the historical word Alderman is non gender specific, in this day and age it does appear that such words do offend the sensibilities of some members of the majority sex (female).

I would appreciate having this item added to our next agenda so that the Committee could discuss a recommendation to change the designation.

Sincerely,

Don Drury
Alderman, Ward 3

DD:sn

c.c. Mr. J. Thompson, Secretary, Legislation Committee

3.

Corporation of the City of

Memorandum

TO: Chairman and Members
Legislation Committee

YOUR FILE:

FROM: John Thompson, Secretary
Legislation Committee

OUR FILE:
PHONE: 526-2729

SUBJECT: WESTERN CANADA MARDI GRAS CONVENTION

DATE: 1989 September 13

The attached correspondence and accompanying information from Alderman D. Ross were presented to the Legislation Committee at its meeting held 1989 July 17 for consideration and recommendation.

The minutes of the meeting indicate that the Committee agreed to receive the correspondence with no further action.

However, there appears to be some confusion or misunderstanding over the accuracy of the recorded decision to receive this information.

Accordingly, Alderman Ross has requested that this item be resubmitted to the Committee for further consideration and clarification.

Sub-joined for the Committee's information is the current policy on advertising adopted by City Council 1987 February 12.

> "That the current practice of considering each request for special City advertising in publications, on its own merits, be continued subject to the following guidelines:
>
> That, requests for special City advertising be approved if:
>
> (a) The applicant organizations activities are of benefit to the community and of a charitable nature and the request is for the City of Hamilton to extend congratulations to the Organization.
>
> (b) The applicant organization is hosting a conference or convention in the City of Hamilton and the request is for the City of Hamilton to extend a welcome to the delegates.
>
> (c) A similar request has not been approved by the Regional Municipality of Hamilton-Wentworth or any other civic authority."

JT:mjw

Attachment

CITY COUNCIL
HAMILTON, CANADA

ALDERMAN DON ROSS
Chairman, Economic Development & Planning
Chairman, Freeway Steering

71 MAIN STREET WEST L8N 3T4 • (416) 526-2730 • RES. (416) 387-1842 — WARD 8

June 26, 1989

Mr. John Thompson
Secretary
Legislation Committee

Dear Mr. Thompson:

RE: Western Canada Mardi Gras Convention
Hamilton, Ontario
February 2-4, 1990

Please find enclosed information that I have been provided with respect to the above-noted convention.

Would you please arrange to have this item placed on the July 17th agenda of the Legislation Committee, at which time I will speak to the committee members.

Your co-operation in this regard is very much appreciated.

Yours truly,

Don Ross
Alderman, Ward 8

rd

cc: Mr. Bas Opdenkelder
Vice-Chairman, 1990 Convention
The Mardi Gras Festival of Hamilton-Wentworth Inc.
30 Maple Drive
Stoney Creek, Ontario L8G 3C2

THE MARDI GRAS CAPITAL OF CANADA

The Mardi Gras Festival of Hamilton-Wentworth Inc.

30 Maple Drive, Stoney Creek, Ontario, Canada L8G 3C2 (416) 560-3211

Alderman
Don Ross
City of Hamilton

JUN 12 1989

June 7, 1989

Dear Don,

The Mardi Gras Festival of Hamilton-Wentworth Inc is excited to host the 18th. Western Canada Mardi Gras Convention in Hamilton on February 2, 3, 4, 1990.

We expect approximately 1500 delegates from across Canada the United States and Europe to participate in his convention.

This convention will be a boost for our economie and especially for the downtown core.

Enclosed you will find information concerning advertising in our Souvenir/Program Publication.

We appreciate the City of Hamilton and the Region of Hamilton-Wentworth support in this.

Since we occupy the Hamilton Convention Centre and a large part of the Sheraton Hotel, an advertisement from the HECFI would also be appreciated.

Don, thanks again for your continuous support

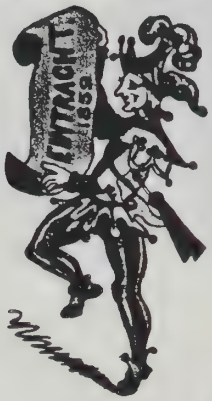
Respectfully,

Bas Oppenkelder
Vice-chairman 1990 convention

MARDI GRAS CAPITAL OF CANADA







The ambitious City of Hamilton

and the

Hamilton-Wentworth Mardi Gras Festival Inc.

present the

18th Western Canada MARDI GRAS CONVENTION

and

International MARDI GRAS FESTIVAL

February 2, 3, 4, 1990

at the

CONVENTION CENTRE
HAMILTON, ONTARIO

COME SEE

Spectacular Performances by Mardi Gras Groups from the West to the East, from South of the Border and overseas!

SEE YOU ALL IN 1990!

SPECIAL TOUR to NIAGARA FALLS
— only 30 minute drive from Hamilton.

1st MARDI GRAS PARADE

in **Hamilton downtown** on
SATURDAY, FEBRUARY 3, 1990!

REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH
SALUTES MARDI GRAS!

The Mardi Gras Festival of Hamilton-Wentworth Inc.

30 Maple Drive, Stoney Creek, Ontario, Canada L8G 3C2 (416) 560-3211

THE MARDI GRAS CAPITAL OF CANADA

EXECUTIVE COMMITTEE:

Albert Kergl
Chairman 560-3211

Bas Opdenkelder
Vice-Chairman 664-2465

Flavia Tranquilly
Secretary 388-9423

John Doesborgh
Treasurer 662-7552

DIRECTORS:

Paul Biegger 388-4982
Cornell Bruggeman 544-6954
Rino Santi 628-8872
Fulton Seunarine 527-7228

HEAD OFFICE:
30 e Drive,
y Creek, Ontario
ada L8G 3C2
Tel: (416) 560-3211
Fax: (416) 561-5154

PRELIMENARY AGENDA – 1990 CONVENTION

Friday, February 2

10 a.m.	–	6 p.m.	**Registration** at the Sheraton Hotel
6 p.m.	–	8 p.m.	**Dinner** Convention Centre, Main Floor (Wentworth Hall)
9 p.m.	–	1 a.m.	**Hobo Dance**/Lumpenball Convention Centre, Main Floor (Wentworth Hall)

Saturday, February 3

7:30 a.m.	–	10 a.m.	**Breakfast** Convention Centre, Main Floor (Wentworth Hall)
10 a.m.	–	12 a.m.	**Visit to City Hall** Parade from City Hall to Convention Centre
12 a.m.	–	2 p.m.	**Board Meeting,** Western Canadian Mardi Gras Sheraton Hotel (Room T.B.A.)
12 a.m.	–	4 p.m.	**Bus trip to Niagara Falls** Busses will leave from Convention Centre
5:30 p.m.	–	7 p.m.	**Dinner** Convention Centre, Main Floor (Wentworth Hall)
7:30 p.m.	–	10 p.m.	**Grand Gala Ball,** march in and performances Convention Centre, Third Floor (Chedoke Hall)
10 p.m.	–	1 a.m.	*Grand Gala Ball, Prinsen couples to open Dance
10 p.m.	–	1 a.m.	**Disco** (non-alcoholic youth dance) Convention Centre, Third Floor (Webster Hall)
			***Champagne Bar** Room 314 – Convention Centre

Sunday, February 4

9:30 a.m.	–		**Breakfast and good-bye's** Convention Centre, Main Floor (Wentworth Hall)







– DEDICATED TO FORWARDING THE IDEAS AND PRINCIPLES OF MARDI GRAS/CARNIVAL(E) –

The Mardi Gras Festival of Hamilton-Wentworth Inc.

30 Maple Drive, Stoney Creek, Ontario, Canada L8G 3C2 (416) 560-3211

THE MARDI GRAS CAPITAL OF CANADA

EXECUTIVE COMMITTEE:

Albert Kergl
Chairman 560-3211

Bas Opdenkelder
Vice-Chairman 664-2465

Flavia Tranquilly
Secretary 388-9423

John Doesborgh
Treasurer 662-7552

DIRECTORS:

Paul Biegger 388-4982
Cornell Brüggemann 544-6954
Rino Santi 628-8872
Fulton Seunarine 527-7228

HEAD OFFICE:

30 Maple Drive,
Stoney Creek, Ontario
Canada L8G 3C2
Tel: (416) 560-3211
Fax: (416) 561-5154

May 15, 1989

To whom it may concern,

Bearer of this letter is authorized by the Mardi Gras Festival of Hamilton-Wentworth Inc. to solicit advertising and donations for the 18th Western Canadian Mardi Gras Convention, to be held February 2, 3, 4, 1990 in downtown Hamilton.

Thank you for your co-operation

Albert Kergl
Chairman

The Mardi Gras Festival of Hamilton-Wentworth Inc.

PRESENTS

THE 18TH WESTERN CANADA MARDI GRAS CONVENTION

February 2, 3, 4, 1990

HAMILTON, ONTARIO, CANADA



GREATER HAMILTON – THE MARDI GRAS CAPITAL OF CANADA

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH SALUTES MARDI GRAS!

THE MARDI GRAS CAPITAL OF CANADA

The Mardi Gras Festival of Hamilton-Wentworth Inc.

30 Maple Drive, Stoney Creek, Ontario, Canada L8G 3C2 (416) 560-3211

The 18th Western Canada Mardi Gras Convention Souvenir/Program Publication

FEBRUARY 2, 3, 4, 1990, HAMILTON CONVENTION CENTRE

ADVERTISING RATES AND DATA

Over 1500 participants will enjoy 3 days of festivities at this unique Convention in Greater Hamilton, the Mardi Gras Capital of Canada. Guests from Western Canada, the USA and Europe will make this a once in a lifetime event.

Your advertisement in this Souvenir/Program Publication will not only help sponsor this event but also leave a long lasting remembrance for all participants.

Thank you for your cooperation.

Bas Opdenkelder
Vice Chairman

MECHANICAL REQUIREMENTS

Printed: Offset

Halftones: 100 line screen

Type page: 7½" wide by 10" deep

Trim page: 8½" wide by 11" deep

FOR BLACK/WHITE ADVERTISEMENTS: SCREEN NEGATIVES TO SIZE, LIGHT READING, EMULSION SIDE DOWN.

STANDARD ADVERTISING SIZES

SIZE	WIDTH	DEPTH
Full Page	7½"	10"
½ Page	7½"	5"
¼ Page	3½"	5"
Bus. Card	3½"	2"

ADVERTISING RATES

SIZE:		
	Bus. Card	$ 50.-
	¼ Page	$125.-
	½ Page	$250.-
	Full Page	$500.-
	O.B.C.	$600.-
	I.F.C.	$550.-
	I.B.C.	$550.-

All contracts material and insertion orders are to be sent to:

The Mardi Gras Festival of Hamilton-Wentworth Inc.
30 Maple Drive, Stoney Creek, Ontario, Canada L8G 3C2
Attn: Bas Opdenkelder







CARIBBEAN CULTURAL ASSOC.

– DEDICATED TO FORWARDING THE IDEAS AND PRINCIPLES OF MARDI GRAS/CARNIVAL(E) –



THE 18th

WESTERN
CANADA
MARDI GRAS
CONVENTION

HAMILTON · ONTARIO

1990



4(a)

Corporation of the City of Ha

Memorandum

****

TO: Mr. J. Thompson, Secretary
Legislation Committee

YOUR FILE:

FROM: Robert C. Prowse, Secretary
Parks and Recreation Committee

OUR FILE:
PHONE: 526-2747

SUBJECT: **REQUEST TO THE PROVINCE TO WAIVE THE 10% AMUSEMENT TAX CHARGES TO C.F.L. TEAMS IN ONTARIO**

DATE: 1989 September 7

This is to advise that the Parks and Recreation Committee, at its meeting held Tuesday, 1989 August 22, considered the subjoined recommendation respecting the above, and directed that this matter be referred to the Legislation Committee.

Would you please bring this matter to the attention of the members of the Legislation Committee for their consideration, at your earliest convenience.

Your co-operation in this regard will be greatly appreciated.

RCP:lp

(a) That the City of Hamilton request that the Province of Ontario waive the 10% Amusement Tax Charges to C.F.L. Teams in Ontario for a two year period.

(b) That the Mayor be requested to arrange a meeting with the Treasurer of Ontario regarding this issue.

(c) That this resolution be forwarded to the City of Ottawa and Toronto for support and endorsement.

RECEIVED
AUG 30 1989
CITY CLERKS
4(6)

Ontario
LEGISLATIVE
ASSEMBLY

GEORGE R. McCAGUE, M.P.P.
SIMCOE WEST

Room 117 NW, Legislative Building , Queen's Park, Toronto M7A 1A2
(416) 965-8983

August 31, 1989

MEMORANDUM TO: **All Municipal Clerks**

RE: **Bill 106 - An Act to amend the Municipal Elections Act and the Municipal Act**

Please find enclosed a copy of a resolution I recently tabled in the Ontario Legislature.

After the 1988 municipal elections, I was contacted by several municipalities concerning problems experienced because of Bill 106 -- the provincial legislation passed in the Spring of 1988 setting out new rules for municipal elections.

As Progressive Conservative critic for Municipal Affairs, I felt it my duty to investigate these concerns. A cursory look across the province indicated problems were widespread and affected both small and large municipalities. As a result, I tabled a Private Member's Resolution to request a review of the legislation and to look for ways to prevent some of the difficulties encountered in the 1988 elections.

I would appreciate this matter being brought to the attention of your respective councils in order that I may hear of any problems municipalities experienced with the implementation of Bill 106.

Please forward any pertinent information to my office. The resolution is scheduled to be debated in late October.

I hope we can work together to make the 1991 municipal elections a success.

George R. McCague

George R. McCague
M.P.P. for Simcoe West
& Progressive Conservative Critic
for Municipal Affairs

Enclosure

No. 47

Orders and Notices

Legislative Assembly of the Province of Ontario

25. *Mr McCague*—Resolution—That, in the opinion of this House, recognizing that the *Municipal Elections Statute Law Amendment Act*, 1988 setting out new rules for municipal elections was introduced and passed hastily by the Liberal government less than a year before the 1988 municipal elections, and given that there have been numberous problems arising from the 1988 municipal elections; the Government of Ontario should immediately initiate a review of the Act, of the problems of administration of same, and should consider establishing some mechanism, such as a Municipal Election Finance Commission, which would ensure uniform application of the Act. *July 25, 1989.*

2nd Session, 34th Parliament
Tuesday, July 25, 1989

OFFICE OF THE BUILDING COMMISSIONER

REF:

ATT:

4(c)

THE CORPORATION OF THE CITY OF HAMILTON

DEPARTMENT OF BUILDINGS

HAMILTON, ONTARIO

17 August 1989

Mr. John Thompson, Secretary
Property Standards Committee
City Clerks' Department

Dear Sir:

Re: Resolution from the City of Brampton
Regarding Vacant Lots in Residential Areas

In response to the above resolution, please be advised that the City of Hamilton has enacted By-Law 84-35 under the provisions provided in the Municipal Act, Section 210, subsections (74)(76)(77)(129).

Subsection (74) specifically is for the requiring and regulating the filling up, draining, cleaning, clearing of any grounds, yard and vacant lots.

This is further defined in Subsection 2(4) of By-Law 84-35 as follows:

For the purpose of subsection 2(1), "clean or cleared up" includes the removal of weeds or grass more than eight inches in height.

By the use of the provisions of the Municipal Act and By-Law 84-35, we have managed successfully to satisfy the citizens of Hamilton in the requirement of grass cutting etc.

Therefore, we in the City of Hamilton do not use the Property Standards By-Law to resolve the citizen complaints.

It would seem that to reduce the time frames required for the notification process under Section 31 of The Planning Act, would destroy the intent of that specific legislation.

Yours very truly,

LCK/sp

L. C. King
Building Commissioner

RECEIVED
AUG 3 1989
CITY CLERKS

The Corporation Of The City Of Brampton

Office of the City Clerk

1989 07 28

Honourable John Eakins
Minister of Municipal Affairs
Legislative Building, Queen's Park
777 Bay Street, 17th Floor
Toronto, Ontario
M7A 1A2

Dear Sir:

RE: Vacant Lots in Residential Areas
Clerk's File: 7.1.1

The Buildings and By-law Enforcement Committee at a recent meeting considered the attached letter from Mrs. A. Del Degan in regard to the maintenance of property.

Resulting therefrom the following recommendation was approved by City Council at its meeting held on July 17th, 1989:

> "THAT a copy of this letter, the report of staff and resolution of Council, dealing with Property Standards Minimum Maintenance By-law re neglected lawns and weed cutting be sent to the Minister of Municipal Affairs, the M.P.P.'s of Brampton and the Association of Municipalities of Ontario asking for their support to get an amendment from the Minister of Municipal Affairs, and;
>
> That a response be given by staff in writing to Mrs. A. Del Degan dealing with her concerns noted in this letter, and;
>
> That Council write a letter to the Province requesting the by-laws of the government be changed allowing the City to reduce the time frame required for notification, and;

.../2

That copies be sent to Association of Municipalities of Ontario and other cities over 100,000 for support."

Yours truly,

R. D. Tufts
Assistant Clerk

RDT:cs
Attach.

cc: C. McClelland, M.P.P. Brampton North
B. Callahan, M.P.P. Brampton South
Association of Municipalities of Ontario
L. T. Koehle, Commissioner of Public Works and Building, City of Brampton
Municipalities of Ontario over 100,000

July 12, 1989

City of Brampton
By-law Enforcement Committee
150 Central Park Drive
BRAMPTON, Ontario
L6T 2T9

Dear Mr. Chairman:

Re: Property Standards in Estate Areas, City of Brampton

I would take this opportunity to express my concerns with the inability of the City's current property standards by-law to adequately address the problem of poor lot maintenance, which plagues my neighbourhood and many other estate areas within the City of Brampton.

As a property owner and tax payer, I am becoming more frustrated with the proliferation of uncut lots or lots overgrown with weeds. Some of those lots are vacant, while others are occupied by home owners who do not have a regard for community standards. Consequently, it has increasingly become the responsibility of the City to ensure that minimum level of standards are attained regardless of the situation. I would like to point out, however, that the City in many cases, is also an offender. There are numerous examples where drainage ditches along the sides of public roads and boulevards are overgrown with grass. There are other incidences where public roads are rarely cleaned of debris.

As we are all aware, a concerned property owner can register a complaint with the City, which in turn, takes the necessary steps to rectify the problem in question and, in some cases, arranges to have the work done by its employees at the expense of the property owner. However, the time period from when the complaint is received and the corrective work actually done is typically a lengthy one. Also, the corrective work is usually not properly done. For example, piles of dead grass are usually left behind after a lot has been cut.

I am frustrated because I can't understand why the City does not provide better maintenance for the estate areas. Is it a case of insufficient funds being available to include estate area maintenance in the City's overall budget? Or, is it a case of the City requiring more authority from the Province of Ontario to more efficiently administer property standards?

I would like someone of the committee to explain to me why we cannot obtain the same level of service and attention provided to home owners in the City's urban areas.

I would also like someone to explain why we have to live with uncut and unweeded lots and boulevards, while our property tax bills are typically twice or three times that of a home owner living in the centre of the City.

It is time that you, our representatives, give this issue serious attention and develop a frame work through which our complaints can be adequately addressed. The problems have been identified, and you need to work towards an immediate solution.

Yours truly,

Mrs A. Del Degan

Mrs. A. Del Degan

6 KENNY CRT.
R.R. 9 BRAMPTON
ONT. L6T 3Z8
416- 794-0188

3-2

April 6, 1989

TO: Chairman and members of Building and By-Law Committee

Re: Item BB003-89, Vacant Lots in Estate Residential

Origin

The following item number BB003-89 of the Buildings & By-Law Committee dated 1989 January 18 was approved by City Council on 1989 January 23.

> "That staff investigate to find a solution to maintain empty lots within established estate residential areas at least three times a year"

Background

At the present time there are two (2) methods of dealing with vacant property. The first method is by using the Property Standards By-Law law. The second is by using the Weed Act.

Under the Property Standards By-Law, we are required to first issue a notice to an owner concerning the defect(s). If no response is received to the notice, we would then be required to go to a title search and issue an order with a set time limit for compliance.

As the owner has 14 days to appeal the order and 4 days are required for service, the minumum number of days on an order would generally be 20 days.

If we consider all the time taken with the issuance of the notice, the securing of the title search and then the order, we would be looking at an elapsed time of a minimum 30 days.

In the event that the owner complied with the order within the time limits and then allowed the property to again deteriorate the same process would have to take place to have the matter rectified a second time.

The foregoing are the procedures set down under Section 31 of the Planning Act.

... 2

Using the Weed Act as an enforcement method required that a noxious weed or weeds be present on the property. If a noxious weed is found, an order is sent to the property owner requiring that the weeds or weed seeds be destroyed within 7 days.

If the owner fails to clear the weeds, the City is then in a position to enter the lands to clear the Weeds at the owners cost. This program runs from June 1st to September 15th of each year.

Under this program, generally one cutting eliminates the weeds to the requirement of the Act. Any further action would be an abuse of the Act.

Our method of enforcement is on a complaint basis, and by use of the Weed Act.

In 1988 there were 30 Estate lots cut under this method.

Discussion

It appears there is no existing legislation that would allow us to enforce a set number of "clean-ups" per year.

In researching this report; I came across one development in King Township that has set out as part of deed restrictions, that vacant lots must be cut as many times during the growing season as required to maintain a satisfactory appearance. This, of course, would have to be enforced by the developer.

Other municipalities I spoke with use one of the the two methods we employ.

Recommendation

The the report be received and staff continue to use available legislation to control the problems.

Agreed

D. Warren

motod

Respectfully submitted

E.G. Jacobs

5(a)

FOR ACTION

REPORT TO: Mr. J. D. Thompson
Secretary, Legislation Committee

FROM: Mr. R. Sugden, Director
Culture and Recreation Department

DATE: 5 September 1989
COMM FILE:
DEPT FILE: Feas. Stdy

SUBJECT: **CITY OF HAMILTON ARENA/SKATING RINK FEASIBILITY STUDY - PUBLIC MEETING**

RECOMMENDATION:

That permission be granted to use the Council Chambers for the purpose of holding a public meeting on Thursday, September 21, at 8:00 p.m.

R. Sugden, Director
Culture and Recreation Department

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

The consulting firm of Cumming Cockburn will be presenting highlights of the Draft Arena/Skating Rink Feasibility Study prepared for the City of Hamilton.

Sports Council meeting is to follow.

RS:bs

c.c. R. Morrison

FOR ACTION

5(b)

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 September 13
COMM FILE:
DEPT FILE:

SUBJECT:

Mum Count Week

RECOMMENDATION:

That the request of the Mum Show Committee for permission to use a telephone at the Information Desk and set up a floral display on the first floor of City Hall during "Mum Count Week" from 1989 October 16 to October 20, BE APPROVED.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

This is an annual event and arrangements last year for the use of a telephone at the Information Desk, first floor, were very satisfactory.

FOR ACTION

5(c)

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 September 13
COMM FILE:
DEPT FILE:

SUBJECT:

Take Back the Night Walk

RECOMMENDATION:

That the request of the Hamilton Sexual Assault Centre for permission to use the City Hall forecourt and the area outside the City Clerk's Department, 2nd Floor to organize their annual Take Back the Night Walk followed by a short ceremony on Thursday, 1989 September 21, BE APPROVED.

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

This is an annual event and arrangements last year were very satisfactory.

5(a)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 September 13
COMM FILE:
DEPT FILE:

SUBJECT:

Canadian Abortion Rights Action League

RECOMMENDATION:

That the request of the Hamilton/Burlington Branch of the Canadian Abortion Rights Action League for permission to use the City Hall forecourt for a public assembly on Saturday, 1989 October 14 from 12:00 noon to 5:00 o'clock p.m., BE APPROVED.

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

Approximately $90. for staff overtime.

BACKGROUND:

The national organization of Canadian Abortion Rights Action League has designated Saturday, 1989 October 14 as a Canada-wide day for demonstrations. They are planning a demonstration on that day organized around a number of guest speakers including their key-note speaker, Ms. Iona Campagnolo.

This assembly is being co-ordinated between several women's organizations in the Hamilton/Burlington area.

FOR ACTION

6.

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 September 13
COMM FILE:
DEPT FILE:

SUBJECT:

Civic Awards

RECOMMENDATION:

That civic awards be made to the following members of the Hamilton Amateur Wrestling Club who won the National Championship for the 1988/1989 year.

NAME	AWARD
Mirahamad Qurizadah	Civic gold Ring
Ed DiPelino	Civic gold ring
Calum McNeil	Civic gold ring
Derek Jacoby	Diamond insert

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

Approximately $630. Sufficient funds are available in the 1989 budget.

BACKGROUND:

CA4ONHBLA05
C51L2

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

Mrs. J. McAnanama
Chief Executive Officer
Hamilton Public Library

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 October 19

N O T I C E O F M E E T I N G

URBAN MUNICIPAL
DOCUMENTS
GOVERNMENT DOCUMENTS

Legislation Committee
Monday, 1989 October 23
9:30 o'clock a.m.
Room 233, City Hall

John Thompson, Secretary
Legislation Committee

JT:mjw

A G E N D A

A. DELEGATION

9:30 o'clock a.m. - ALDERMAN D. CHRISTOPHERSON
CHAIRMAN
TASK FORCE REVIEWING SECOND LEVEL LODGING HOME BY-LAW
PROGRESS REPORT

1. Approval of the Minutes of the Legislation Committee Meetings held 1989 September 18 and September 26

2. TAXI ADVISORY COMMITTEE

   (a) Appointments

   (b) Taxi Fare Increase

I

3. MANAGER, LICENCING DIVISION

(a) Amendment to Taxicab By-law No. 89-249 Respecting Rates or Fares

(b) Amendment to Taxicab By-law No. 89-294 to Clarify Definitions and to Incorporate Minor Housekeeping Changes

4. TREASURER

Per Diem Rate

5. HAMILTON STATUS OF WOMEN SUB-COMMITTEE

Citizen Appointments

6. REQUEST FOR THE USE OF CITY HALL FACILITIES

(a) Hamilton Status of Women Sub-Committee

Workshop on Employment Opportunities for Women

(b) French Sub-Committee

French Week/Semaine Francoise in Hamilton

(c) Local 167

Annual Children's Christmas Party

(d) Hamilton Society of Architects

Display for the 1989 "Award of Merit"

(e) The Rotary Club of Hamilton

Easter Seal Superthon

(f) Latvian Society of Hamilton

Flying Flag at City Hall

7. RESOLUTIONS

(a) Pilgrims of Saint Michael

Re: Bank of Canada Funding for Municipal Infrastructure

(b) City of Orillia

Opposition to The French Language Services Act (Bill 8)

(c) Municipality of Tarbutt & Tarbutt Additional

Municipal Services in English

8. ALDERMAN B. HINKLEY

Attendance Report at the 1989 Association of Municipalities of Ontario Conference

9. LEGISLATION AND RECEPTION COMMITTEE

Report 10-89, Item 3
Voluntary Action Centre (CLE 89-073) - Referred to the City of Hamilton for Information and Consideration

10. NEW BUSINESS

11. ADJOURNMENT

CA4ONHBLA05
C51L2

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 October 19

N O T I C E O F M E E T I N G

Legislation Committee
Monday, 1989 October 23
9:30 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL
OCT 2
GOVT MENT DOCUMENTS

John Thompson, Secretary
Legislation Committee

JT:mjw

A G E N D A

A. DELEGATION

9:30 o'clock a.m. - ALDERMAN D. CHRISTOPHERSON
CHAIRMAN
TASK FORCE REVIEWING SECOND LEVEL LODGING HOME BY-LAW
PROGRESS REPORT

1. Approval of the Minutes of the Legislation Committee Meetings held 1989 September 18 and September 26

2. TAXI ADVISORY COMMITTEE

   (a) Appointments

   (b) Taxi Fare Increase

3. MANAGER, LICENCING DIVISION

(a) Amendment to Taxicab By-law No. 89-249 Respecting Rates or Fares

(b) Amendment to Taxicab By-law No. 89-294 to Clarify Definitions and to Incorporate Minor Housekeeping Changes

4. TREASURER

Per Diem Rate

5. HAMILTON STATUS OF WOMEN SUB-COMMITTEE

Citizen Appointments

6. REQUEST FOR THE USE OF CITY HALL FACILITIES

(a) Hamilton Status of Women Sub-Committee

Workshop on Employment Opportunities for Women

(b) French Sub-Committee

French Week/Semaine Francoise in Hamilton

(c) Local 167

Annual Children's Christmas Party

(d) Hamilton Society of Architects

Display for the 1989 "Award of Merit"

(e) The Rotary Club of Hamilton

Easter Seal Superthon

(f) Latvian Society of Hamilton

Flying Flag at City Hall

7. RESOLUTIONS

(a) Pilgrims of Saint Michael

Re: Bank of Canada Funding for Municipal Infrastructure

(b) City of Orillia

Opposition to The French Language Services Act (Bill 8)

(c) Municipality of Tarbutt & Tarbutt Additional

Municipal Services in English

8. ALDERMAN B. HINKLEY

Attendance Report at the 1989 Association of Municipalities of Ontario Conference

9. LEGISLATION AND RECEPTION COMMITTEE

Report 10-89, Item 3
Voluntary Action Centre (CLE 89-073) - Referred to the City of Hamilton for Information and Consideration

10. NEW BUSINESS

11. ADJOURNMENT

OUTSTANDING ITEMS
LEGISLATION COMMITTEE

	ITEM	ORIGINAL DATE	ACTION	STATUS
1.	Policy for Special and Public Meetings	1989 January 23	Staff	Report to Follow
2.	Policy for Use of Council Chambers	1989 January 23	Staff	Report to Follow
3.	Police Report on Licencing Function	1989 January 23	Regional Police	Report Pending
4.	Street Vendors Permit South West Corner King and James Streets	1989 April 13	Manager, Licencing Division	Report Pending
5.	Gun Shop Operations	1989 June 19	Planning and Development Committee	Review Proceeding
6.	Licencing Tobacco Outlets	1989 June 19	Staff	Reports Pending
7.	Transient Flower Vendors	1989 June 19	Manager, Licencing Division	Report Pending
8.	Handbill Distributors	1989 June 19	Sub-Committee	Report Pending

9.	Election Procedures	1989 June 19	City Clerk	Report Pending
10.	Prohibition and Regulation of Fireworks	1989 July 17	Fire Chief	Report Pending
11.	Review of Civic Gifts	1989 July 17	Ald. Murray Ald. Copps	Report Pending
12.	Review Civic Award Policy and Regulations	1989 August 21	Ad Hoc Committee	Report to Follow

CITY COUNCIL
HAMILTON, CANADA

Alderman David Christopherson
Chairman—Health & Social
Services Committee
—Licensing Committee

71 MAIN STREET WEST L8N 3T4 • (416) 526-2730 • RES. (416) 561-9508—WARD 4

9:30

M E M O R A N D U M:

TO: *Mr. J. Thompson*
Secretary
Legislation Committee

FROM: *Alderman David Christopherson*
Chairman
Task Force Reviewing Second Level
Lodging Home By-law

DATE: *September 26, 1989*

I would like to report to the committee on the progress of the "Second Level Lodging Home By-law".

Please arrange for me to be placed on the next agenda.

Thank you for your assistance.

DC:nb

c.c. - Brian Loretto,Solicitor, City of Hamilton
- Mr. Steve Dembe, Manager of Licencing
- Susan Bridgehouse, Manager, Shelter & Housing Unit, Dept. of Social Services
- Vicki Woodcox, Assistant Director of Nursing

Monday, 1989 September 18
9:30 o'clock a.m.
Room 233, City Hall

The Legislation Committee met.

There were present: Alderman V. J. Agro, Chairman
Alderman M. Kiss, Vice-Chairman
Mayor R. M. Morrow
Alderman D. Drury
Alderman G. Copps
Alderman F. Lombardo
Alderman T. Jackson
Alderman H. Merling
Alderman D. Ross

Also present: Alderman T. Cooke, Part of Meeting
Ms. L. Lawrence, City Solicitor's Office
John Thompson, Secretary

1. HAMILTON CIVIC EMPLOYEES CHARITY COMMITTEE

The following assemblage appeared before the Committee to make a presentation of the bi-annual fund raising campaign of the Hamilton Civic Employees Charity Committee. Mrs. Gayle Hampson, Chairperson, Hamilton Civic Employees Charity Committee, Mr. Mike Kay, Member, Mr. Larry Stasiuk, Member, Mr. Bruce McKenzie, United Way, Ms. Janet McKenzie, United Way, Mr. Michael Finne, Co-ordinator of Public Sector, Burlington.

Mr. Bruce McKenzie presented a video showing some of the essential services provided and funded by United Way. He urged the Members of the Committee to pledge their support by making contributions through the City's payroll deduction plan.

Mrs. Hampson explained the automatic deduction cards for contribution pledges and the general objectives of the fund raising drive.

In receiving the presentations, the Committee agreed to submit the following recommendations to City Council with respect to the use of the Council Chambers and mandatory appointments to the Hamilton Civic Employees Charity Committee.

(a) That the request of the Hamilton Civic Employees Charity Committee for permission to use the Council Chambers from 1989 October 02 to October 06 for presentations to staff in connection with their Bi-Annual Fund Raising Campaign, BE APPROVED.

(b) That the Hamilton Civic Employees Charity Fund Committee be composed of:

(i) A Department Head appointed by the Chief Administrative Officer.
(ii) A senior level staff representative of each Civic Department appointed by the Department Head.
(iii) A senior representative of each C.U.P.E. local appointed by the Union President.

(c) That the Hamilton Civic Employees Charity Fund Committee be authorized to give recognition to the Civic Department/Section for the highest donation level achieved in fund raising campaigns.

(d) That the Treasurer be authorized to disburse donations to the Charity Fund calculated bi-weekly rather than monthly for deposit into the Fund.

(e) That the Commissioner, Human Resources be authorized to establish a program for recruitment of new employees, part-time staff and retirees into the fund.

2. MINUTES

The minutes of the last regular meeting of the Legislation Committee held 1989 August 21 were received and adopted as corrected.

3. CHANGING DESIGNATION OF ALDERMAN TO COUNCILLOR

The Committee was in receipt of a letter from Alderman Don Drury dated 1989 August 22 advising that over the past several months he has been approached by various individuals who have suggested that the City of Hamilton change the designation of Alderman to Councillor.

He explained that there appears to be a fair amount of confusion as to the separate designations of Alderman and Councillor due to two-tier system of government. He also pointed out that Alderman does carry a sexist connotation and that a designation change would be in conformity with the Region and most other urban centres.

Alderman Lombardo commented that all calling cards and letterhead contain the aldermanic designation. He suggested that if the Committee seriously considers recommending that the designation be changed, such a change should not take place until a new term of City Council.

Alderman Agro commented that the designation of Councillor is somewhat vague and could indicate a financial councillor or social councillor.

Following discussion, it was moved by Alderman Lombardo, seconded by Alderman Ross and carried that Alderman Drury's request be received.

Recorded Vote: Yeas - Alderman Agro, Mayor Morrow, Aldermen Copps Lombardo, Jackson, Merling, Ross

Nays - Aldermen Kiss, Drury

4. WESTERN CANADA MARDI GRAS CONVENTION

At the request of Alderman Ross, the Committee reconsidered the request of the Mardi Gras Festival of Hamilton-Wentworth Inc. for the City to purchase advertising in their Souvenir/Programme Publication.

Following consideration, the Committee agreed to submit the following recommendation to City Council for approval.

(a) That the City of Hamilton sponsor a half page in the Souvenir/Programme Publication of the 18th Western Canada Mardi Gras Convention to be held in the City of Hamilton 1990 February 2, 3 and 4 at a cost in the amount of $250.

(b) That this expenditure be charged to the Advertising and Publicity Account of the City Clerk's Department.

5. 10% AMUSEMENT TAX CHARGES TO C.F.L. TEAMS

As outlined in a memorandum from the Parks and Recreation Committee dated 1989 September 07, the Committee agreed to submit the following recommendations to City Council for approval.

(a) That the City of Hamilton request that the Province of Ontario waive the 10% Amusement Tax Charges to the Canadian Football League Teams in Ontario for a two year period.

(b) That the Mayor be requested to arrange a meeting with the Treasurer of Ontario regarding this issue.

(c) That this resolution be forwarded to the Cities of Ottawa and Toronto for support and endorsement.

Recorded Vote: Yeas - Alderman Agro, Mayor Morrow, Aldermen Drury Lombardo, Jackson, Merling, Ross

Nays - Aldermen Kiss, Copps

6. BILL 106, AN ACT TO AMEND THE MUNICIPAL ELECTIONS ACT AND THE MUNICIPAL ACT

The Committee was in receipt of a Private Member's Resolution from George R. McCague, M.P.P., Simcoe West requesting the Provincial Government to initiate an immediate review of Bill 106, An Act to Amend The Municipal Elections Act and The Municipal Act in light of the many problems municipalities experienced with the implementation of Bill 106.

Alderman Terry Cooke was in attendance and distributed a memorandum containing the following recommendations:

(a) That the Provincial Government establish a commission on municipal elections to interpret and enforce Bill 106.

(b) That the Province provide an income tax-based tax credit system for municipal donors to encourage a broader base of contributors.

(c) That Bill 106 be amended to restrict individuals from contributing through different corporate entities in order to circumvent the $750 ceiling on contributions.

(d) That Bill 106 be amended to include ticket purchases for fund raisers within the $750 ceiling on contributions.

(e) That Bill 106 be amended to restrict all political fund raising outside of the official campaign period.

(f) That Bill 106 be amended to restrict use of surplus campaign funds in a manner consistent with that imposed under Part 3 of Bill 106 and those municipalities opting into the present tax credit system (funds held in trust by City Clerk).

Following discussion, the Committee agreed to submit the following recommendations to City Council for approval.

(a) That the following Private Member's Resolution of George R. McCague, M.P.P., Simcoe West to request an immediate review of Bill 106, An Act to Amend The Municipal Elections Act and The Municipal Act, BE ENDORSED.

"That, in the opinion of this House, recognizing that the Municipal Elections Statute Law Amendment Act, 1988 setting out the new rules for municipal elections was introduced and passed hastily by the Liberal government less than a year before the 1988 municipal elections, and given that there have been numerous problems arising for the 1988 municipal elections: the Government of Ontario should immediately initiate a review of the Act, of the problems of administration of same, and should consider establishing some mechanism, such as a Municipal Election Finance Commission, which would ensure uniform application of the Act."

(b) That the City Clerk be authorized and directed to undertake an immediate review of the problems experienced with the implementation of Bill 106 and to prepare a comprehensive report on the Act containing specific recommendations for consideration by the Legislation Committee.

(c) That, as part of this review, the City Clerk be directed to canvass all those involved in the 1988 municipal election locally soliciting their comments and/or recommendations with respect to Bill 106.

(d) That, in the event a Provincial Task Force is established to visit municipalities throughout the Province for the purpose of receiving views, submissions and recommendations on ways and means of preventing some of the difficulties encountered in the 1988 elections, the Mayor be authorized to forward a letter to the Government of Ontario recommending that the City of Hamilton be selected as one of the municipalities in which a public hearing on Bill 106 will be held.

7. RESOLUTION FROM THE CITY OF BRAMPTON REGARDING VACANT LOTS IN RESIDENTIAL AREAS

The Committee agreed to submit the following recommendation and explanatory note to City Council for approval.

That the resolution from the City of Brampton requesting the Provincial Government to amend existing legislation to permit municipalities to reduce the time frames required for the notification process under Section 31 of The Planning Act regarding maintenance of vacant lots in residential areas under the Property Standards By-law, BE RECEIVED.

NOTE: The Legislation Committee concurs with the views and concerns of the Building Commissioner that by use of the provision of The Municipal Act and By-law No. 84-35 - "To Provide For: Maintaining Land in a Clean and Clear Condition", the City of Hamilton has managed successfully to satisfy the citizens in the requirement of grass cutting. The City does not use the Property Standards By-law to resolve citizen complaints regarding vacant lots in residential areas. Reducing the time frames required for the notification process under Section 31 of The Planning Act would destroy the intent of that specific legislation.

8. MUM COUNT WEEK

The Committee approved the request of the Mum Show Committee for permission to use a telephone at the Information Desk and set up a floral display on the first floor of City Hall during "Mum Count Week" from 1989 October 16 to October 20.

9. CANADIAN ABORTION RIGHTS ACTION LEAGUE

The Committee approved the request of the Hamilton/Burlington Branch of the Canadian Abortion Rights Action League for permission to use the City Hall forecourt for a public assembly on Saturday, 1989 October 14 from 10:00 o'clock a.m. to 2:00 o'clock p.m.

It was noted that the national organization of Canadian Abortion Rights Action League has designated Saturday, 1989 October 14 as a Canada-wide day for peaceful and orderly demonstrations. They are planning a demonstration on that day organized around a number of guest speakers including their key-note speaker, Ms. Iona Campagnolo.

It was also noted that the Committee's decision to approve the request for the use of the City Hall forecourt by the Canadian Abortion Rights Action League should not be construed or conceived as an endorsement of their position with respect to abortion. It was also noted that this issue is a matter of free speech and that the City should maintain neutrality and not editorialize on this issue.

10. CITY OF HAMILTON AREA/SKATING RINK FEASIBILITY STUDY - PUBLIC MEETING

The Committee approved the request of the Director of Culture and Recreation for permission for the consulting firm of Cumming Cockburn to use the Council Chambers for the purpose of holding a public meeting on Thursday, 1989 September 21 at 8:00 o'clock p.m. to present highlights of the draft Arena/Skating Rink Feasibility Study prepared for the City of Hamilton.

11. HAMILTON SEXUAL ASSAULT CENTRE

The Committee approved the request of the Hamilton Sexual Assault Centre to use the City Hall forecourt and the area outside the City Clerk's Department, 2nd Floor in connection with their annual Take Back the Night Walk and a short information session on Thursday, 1989 September 21.

12. VISIT OF REGIONAL CONVENER JENNINGS OF STRATHCLYDE, SCOTLAND

As recommended in a letter from Mayor R. Morrow dated 1989 September 18, the Committee approved providing a small civic luncheon on the occasion of the visit to the City of Hamilton of the Regional Convener Jennings and Mrs. Jennings from Strathclyde, Scotland 1989 Tuesday, 1989 September 19 and that the cost of this function not to exceed $625 be financed from the Unclassified Account.

The meeting then adjourned.

Taken as read and approved,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

John Thompson, Secretary
1989 September 18

Typed by M. J. Walton

Special Meeting of the Legislation Committee

Tuesday, September 26, 1989
7:15 o'clock p.m.
Room 233, City Hall

The Legislation Committee met:

There were present:	Alderman V. J. Agro, Chairman Alderman M. Kiss, Vice-Chairman Alderman D. Drury Alderman G. Copps Alderman T. Jackson Alderman D. Ross
Absent:	Mayor R. M. Morrow - City Business Alderman F. Lombardo - City Business Alderman T. Murray - City Business
Also present:	Mr. S. J. Dembe, Manager, Licence Division Ms. L. Lawrence, Legal Department Mr. J. J. Schatz, Acting Secretary

As recommended by the Licensing Committee in a report dated September 21, 1989, the Committee agreed to recommend to City Council that Section 39 of By-law No. 78-130 be repealed and replaced with a statement that bingo card prices are subject to the approval of the City of Hamilton Licensing Committee, and further that the City Solicitor be authorized and directed to prepare the necessary By-law Amendment for submission directly to City Council.

In this regard, Mr. Dembe advised that this amendment is to reflect current practices in the bingo industry.

The meeting then adjourned.

Taken as read and approved.

J. J. Schatz, Acting Secretary
Legislation Committee

Alderman V. J. Agro, Chairman
Legislation Committee

1989 September 29
Typed by: B. Carter

FOR ACTION

2(a)

REPORT TO: Chairman and Members
Legislation Committee

FROM: Alderman D. Drury, Chairman
Taxi Advisory Committee

DATE: 1989 October 19
COMM FILE:
DEPT FILE:

SUBJECT:

Appointments to the Taxi Advisory Committee

RECOMMENDATION:

That approval be given to the following appointments to the Taxi Advisory Committee for a term of office to expire 1991 November 30:

Mr. Paul A. Devlin, Administrative Assistant, Yellow Cab Company Limited

Mr. Anthony R. Rizzuto, Vice-President and Transportation Supervisor, Blue Line

Mr. Bob Esselment, Vice-President and General Manager, Veterans Taxi

Mr. Bill Romans, Hamilton Taxi Owners Organization

Mr. Joe Sheeler, Cab Driver

Mr. Jon Buttrum, Citizen Action Group

Ms. Betty Mace, Senior Citizens Council

Mr. Jim Watson, Senior Vice-President of the Hamilton Automobile Club

Jack Thompson
for Alderman D. Drury

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

Consistent with the Terms of Reference of the Taxi Advisory Committee as approved by City Council 1989 August 29, the Committee shall be composed of:

(a) Aldermen Drury, Lombardo and Ross
(b) A representative of each Taxi Brokerage
(c) A representative of the Taxi Owners' Organization
(d) One Cab Driver/Lessee
(e) One Taxi Owner who is not a member of the Taxi Owners' Association
(f) Three Citizen Members

One taxi owner who is not a member of the Taxi Owners Organization remains to be appointed.

FOR ACTION

2(6)

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Acting Secretary
Taxi Advisory Committee

DATE: 1989 October 19
COMM FILE:
DEPT FILE:

SUBJECT:

Taxi Fare Increase

RECOMMENDATION:

(a) That Part 12 of By-law No. 89-249 which amends and consolidates Schedules 4 and 4a To Licencing by-law No. 79-323 Respecting Taxi-cabs and Livery Vehicles be amended to reflect the following changes respecting rates and fares to be charged:

Meter Cabs

For the first 1/9 of a kilometre or part thereof	$ 2.00	(presently 1/8 of a kilometre)
For each additional 1/9 of a kilometre or part thereof	$ .10	(presently 1/8 of a kilometre)
For waiting after engagement, for reach 20 seconds or part thereof after the first 20 seconds	$ .10	(presently 30 seconds)
Under agreement with the passenger, for each hour ...	$ 30.00	(presently $20.00)
For loading and unloading groceries, luggage or other goods and chattels, for each 20 seconds or part thereof calculated after the first 20 seconds from the time t he meter is turned on,		(presently 30 seconds)
(i) at the commencement of the loading until completion of the loading	$ .10	
(ii) at the commencement of the loading until completion of the unloading	$ .10	

(b) That the City Solicitor be authorized and directed to prepare the necessary amending by-law for submission directly to City Council at its next regular meeting on 1989 October 31.

(c) That the rates or fares to be charged by the taxi-cab owner or taxi-cab driver for the conveyance of passengers be examined and reviewed annually.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

The above rate adjustment will assist in offsetting increases absorbed by the taxi industry in recent years with respect to fixed operating costs and variable costs.

BACKGROUND:

The taxi industry has requested a review of the present taxi fare structure and has provided the Taxi Advisory Committee with sufficient documentation on comparative costs of their overhead operating components to justify an increase.

Attached for the Committee's information are copies of the submissions received from the Taxi Brokerages including a survey conducted by staff to determine the fare structure in other municipalities.

The last fare adjustment occurred in 1987 and since then, fixed annual operating costs and variable costs have increased substantially as indicated in the attached submissions.

Attachment

c.c. Alderman D. Drury
Chairman
Taxi Advisory Committee

Alderman D. Christopherson
Chairman
Licencing Committee

Mr. S. J. Dembe, Manager
Licencing Division

Ms. L. Lawrence
City Solicitor's Office

TAXI FARES

MISSISSAUGA

flag rate - $2.00
meter rate - $ .25 per 280 metres
time rate - $ .25 per 45 seconds
no increase being considered
last increase - April 28, 1989

BURLINGTON

flag rate - $1.90
meter rate - $ .10 per 1/10 kilometre
time rate - $ .25 per minute
no increase being considered
last increase - July 1988

SUDBURY

flag rate - $ 1.90
meter rate - $ .10 per 1/10 kilometre
time rate - $18.00 per hour
being considered
last increase - November 1, 1988

TORONTO

flag rate - $2.00
meter rate - $ .25 per 287 meters
time rate - $ .25 per 55 seconds
no increase being considered
last increase - April 1989

NIAGARA

flag rate - $ 2.00
meter rate - $ .10 per 90 metres
time rate - $20.00 per hour
no increase being considered
last increase - February 1989

WINDSOR

flag rate - $ 2.15
meter rate - $ .10 per 1/13 mile
time rate - $15.00 per hour
no increase being considered
last increase - September 1988

KINGSTON (no meters)

flag rate - $2.50
$ .50 per zone line crossed
time rate - $18.00 per hour or
$ .30 per minute after 3 minutes
no increase being considered
last increase - September 1988

OTTAWA

flag rate - $1.65
meter rate - $ .10 per 109 metres increase
time rate - $ .10 per 20 seconds
increase in the midst of approval
last increase - October 1988

LONDON

Day Rate
flag rate - $2.05
meter rate - $ .10 per 1 9 kilometres
time rate - $ .10 for each 23 seconds in
travelling time at 17 kilometres or less

Night Rate
flag rate - $2.45
meter rate - $ .10 per 1 11 kilometres
time rate - $ .10 for each 19 seconds in
travelling time at 17 kilometres or less

HAMILTON

flag rate - $ 2.00
meter rate - $ .10 per 1/8 kilometres
time rate - $ .10 for each 30 seconds
last increase - December 12, 1987

"SERVICE IS OUR MAIN CONCERN"
VETERANS TAXI
525-0600
Over 70 CARS TO GIVE CITY WIDE SERVICE
Head Office - 15 Wentworth St. N., Hamilton, Ont. L8L 5T8
"Hamiltons' Friendly & Reliable Taxi Service"

Oct. 5,1989

John Thompson
Acting Secretary
Taxi Advisory Committee

Sir

Further to information requested at the Sept. 26,1989 meeting. We provide some basic cost details showing the increases absorbed by the taxi industry in recent years.

	1983	1987	PRESENT
PROPANE(SUPERIOR)	22.5¢/ltre	25.1¢/ltre	29.9¢/ltre additional 2¢ Jan
GASOLINE	41.9¢/ltre	47.9¢/ltre	49.9¢/ltre
INSURANCE(DALE&CO.) Facility-Drivers Annual	$3500.00	$7700.00	$8500.00
TIRES (each)	$45.00	$58.00	$70.00includes $5
BROKERAGE FEES	$2600.00	$2700.00	$3000.00
W.C.B. (Drivers Gross)		3.37%	3.65%
U.I.C.			
EQUIPMENT Vehicle, Radio Meter	$5200.00	$6800.00	$7500.00
BODY SHOP RATES (Royal Collision)	$25/hr	$36/hr	$42/hr
MECHANICAL RATES Fees/Licenses	$24/hr	$32/hr	$38-$45/hr

Many of these items are readily comparable, being "fixed" annual costs ie insurance, brokerage fees. However different perimeters are necessary when you consider fuel costs, repairs, W.C.B., U.I.C., etc. are dependent on gross revenues and wear and tear on the vehicle.

In order to operare a taxi on a profitable basis, generate incomes adequate for equipment update and replacement, we consider a minimum increase to the taxi rates as previously outlined. Should the matter of semi annual rate review not be implemented, a more substantial increase is warranted to offset increased fuel taxes/prices and reflect the elapsed period from when this matter was raised.

We calculate the following increases for the comparable years.

	1983-1987	1987-Present	1983-Present
FIXED OPERATING COSTS	47%	11%	62%
VARIABLE COSTS (Based on Consistant Gross)	29%	8%	39%

Please contact the writer for any additional information and/or clarification required.

Yours truly,

R.A. Esselment
Vice President & General Manager
Veterans taxi

RAE/tle

HAMILTON TAXI OWNERS ORGANIZATION

Hamilton Taxi Owners Organization

Upper James Postal Outlet • 856 Upper James St., Hamilton, Ontario L9C 7M5 - Lock Box 2000

October 17, 1989

Alderman D. Drury, Chairman
Hamilton Taxi Advisory Committee
Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Alderman Drury:

In reply to your request of September 26, 1989 to provide information which would substantiate our recent request for a rate adjustment, we are able to supply the following information.

Subject	1983	1987	%	1989	%
Insurance:					
Owner Operated	1,550	2,420	56.12	2,610	7.85
With Driver	3,607	4,147	14.97	4,700	13.34
Equipment:					
4 yr. old Chev Impala	5,474	7,200	31.53	7,550	4.86
2 yr. old Ford	8,750	11,150	27.42	11,800	5.83
License:					
Cab Owner	100	125	25.00	138	10.40
Cab Drivers	10	15	50.00	25	66.70
Fuel:					
Cents Per Litre	43.7	47.0	7.55	52.2	11.63

Parts and Maintenance:

(* This information was extracted from the Canadian Automobile Association 1989-90 Car Costs pamphlet.)

Operating Costs:	Average Per Kilometre
Gasoline and Oil	5.45 cents
Maintenance	1.51 cents
Tires	.69 cents
Total	7.65 cents

Fixed Costs:	Annual Cost
$100 Ded. Comprehensive $250 Ded. Collision $500,000 Inclusive Third Party Liability (Total Insurance Cost)	766.00
Snow Tires	56.00
License and Registration	81.00
Depreciation	2,371.00
Finance Expense (14.0% Interest 20% down payment, four year loan)	858.00
24,000 Kilometres at 7.65 Cents/Km	$1,836.00
365 Days at $11.32 per day	4,132.00
	$5,968.00

(24.9 Cents Per Kilometre)

The same person driving 16,000 kilometres per year would pay:

16,000 Kilometres at 7.65 Cents/Km	$1,224.00
365 Days at $11.32 per day	4,132.00
	$5,356.00

(33.5 Cents Per Kilometre)

When reviewing the per kilometre rates, it should be remembered that these figures represent the total cost of owning and driving a car for one year.

The "per day" costs include $100 deductible comprehensive insurance, $250 deductible collision insurance, $500,000 Inclusive Third Pary Liability, provincial taxes, registration fees, depreciation and finance costs. All insurance is based on "commutation" category where the vehicle is driven less than 16 kilometres to or from work and there are no youthful drivers.

The "per kilometre" costs include gasoline, oil, maintenance and tires.

Thus on the basis of 24,000 kilometres driven annually, the total cost is:

	Low Cost Province Per Year	Per Km	High Cost Province Per Year	Per Km
Full-Size Car	5,250.00	21.9 Cents	$6,225.00	25.9

*Ontario ranks fourth in a Provincial Cost Ranking System.

The foregoing information was provided in accordance with your request. The Hamilton Taxi Owners Organization submit that an annual rate adjustment be established on an automatic basis relevant to the percentage change in the Consumer Price Index. (Closest city to Hamilton which is currently Toronto.)

We further submit that this percentage change should be adjusted should unusual fluctuations occur with major components of our expense factors. In addition to the above-mentioned it has become increasingly important to many members of our Organization that we reserve the right to review our relationship with other labour sectors as it pertains to social and economic status. In other words, many members of our Organization are finding that they must work more and more hours each week in order to maintain their existing standard of living.

The Consumer Price Index between January 1987 and January 1989 increased 11%. The increase in 1987 was a 10% increase over the rate set in 1983. Even if we had taken a rate adjustment in January of 1989 we would still be 1% below the Consumer Price Index at that point in time.

Respectfully submitted,

William Romans
Hamilton Taxi Owners
Organization

BLUE LINE

October 16th, 1989

Mr. John Thompson
Acting Secretary
Taxi Advisory Committee

Dear Mr. Thompson;

We have compiled a list of comparative costs for a sampling of our overhead components. In a number of cases we have obtained and enclosed a written confirmation of the amounts from various outside suppliers.

	1982	1987	1989
Vehicle (3 years old)	$ 2,000	$ 4,000	$ 6,000
Taxi Licence	$22,000	$50,000	$72,000
Insurance	$ 3,089	$ 7,800	$ 8,800
Fuel: Propane (cents/litre)	21.8	22.5	29.9
Gasoline (cents/litre)	43.0	N/A	51.0
Tires (each)	$ 45.00	$ 50.00	$ 67.00
	(not including $5 tax/tire)		

Equipment: According to Willies Meter Shop, Toronto, the cost of radios and meters have stayed relatively the same. However there has been an increase in the price of roof signs. Exact figures are not available.

Garage Labour Rate (/Hour)	$ N/A	$ 32.00	$ 45.00
Body Shop Rate (/Hour)	$ 30.00	$ 35.00	$ 40.00
UIC (% of gross)	2.30%	2.35%	1.95%
WCB ($/100 of payroll)	$ 1.80	$ 3.30	$ 3.67

City of Hamilton Fees (see attached schedule)

In summary, costs have generally risen substantially. While costs may vary in some cases from supplier to supplier, we believe the amounts shown are a fairly good representation of industry costs.

If we can provide additional information, please call on us.

Sincerely,

Anthony Rizzuto
Vice President

BLUE LINE TRANSPORTATION LTD., 160 JOHN ST. S., HAMILTON, ONTARIO L8N 2C4 Tel. (416) 525-2788
MAILING ADDRESS: P.O. BOX 1006, STATION A, HAMILTON, ONTARIO L8N 3R1

Superior
Propane Inc.
Box 70
Smithville, Ontario
L0R 2A0



October 16, 1989

Blue Line Transportation Ltd.
160 John St.
Hamilton , Ontario
L8N 3R1

ATTENTION: Anthony Rizzuto

Dear Sir:

The following list shows the streetprices from 1988 to the present time. Increases in wholesale and transportation costs as well as Federal Sales Tax, have steadily increased streetprices over the last two years.

DATE		PRICE
1988	-	22.5¢ L
February 1989	-	24.5¢ L
July 1, 1989	-	29.9¢ L

In addition, effective January 1, 1990 an additional increase of 2.24¢ L in Federal Sales Tax will increase the present streetprice to 32.14¢ L.

I hope that this information will be of value to you. If I may be of further service to you, please do not hesitate to contact me at the office.

Yours truly,

SUPERIOR PROPANE INC.

Peter Lof
Branch Manager

PL/et

THE PIONEER GROUP-ALL CANADIAN

October 16, 1989.

Blue Line Transporation Limited,
160 John St. S.,
Hamilton, Ontario.
L8N 2C4.

Attn: Anthony Rizzuto

Dear Sir:

This letter will confirm that the gasoline prices were approximately 43.0 cents per litre in the calendar year 1983.

I trust this information is sufficient for your records and remain,

Yours truly,

PIONEER PETROLEUMS

J.P. Theriault
Retail Sales Manager

JPT:oh

5360 SOUTH SERVICE ROAD, BURLINGTON, ONTARIO L7L 5L1. Telephone: (416) 639-2060

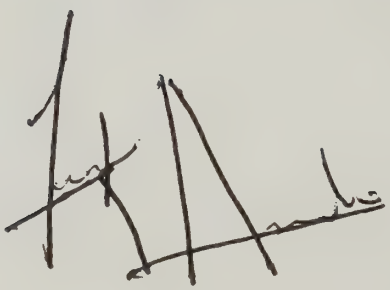
FRANK'S TIRE
SERVICE (OF HAMILTON) LIMITED
1890 BARTON ST. EAST HAMILTON, ONT. L8H 2Y6

To whom it may concern:

Tire prices for taxi vehicles have increased over the years. This is due to increased costs in material, labor and improved technology and products.

Tire prices have increased over time as follows:

1983 - $45.00 each approximately
1987 - $50.00 each approximately
1989 - $67.00 each approximately



New Tire Tax

July 1989 **713**

Pour obtenir cette publication en français, veuillez communiquer avec votre bureau régional de la Taxe de vente au détail.

This Guide explains the application of tire tax to new pneumatic tires.

WHAT TIRES ARE TAXABLE ?

New pneumatic tires purchased after May 31, 1989, including all new pneumatic tires purchased with a vehicle, are subject to the tire tax of $5 per tire.

A new pneumatic tire is any new tire requiring inflation by air pressure (including spare tires known as "doughnuts") intended for use as an original or replacement tire on:

- passenger cars, vans, light trucks, commercial vehicles, motor homes, motorcycles and off-road vehicles
- recreational trailers, utility trailers or other vehicles designed for towing behind a motor vehicle
- construction equipment
- private aircraft.

Exempt from tire tax are any tires not designed as pneumatic tires, used pneumatic tires and new pneumatic tires used on:

- production equipment, farm machinery, fire-fighting vehicles, commercial aircraft and wheelchairs
- bicycles, tricycles and toys
- garden tractors, wheelbarrows, snowblowers and similar equipment
- vehicles purchased by status Indians living on a reserve
- vehicles purchased by diplomatic or consular officers
- any vehicle shipped by a seller to a point outside Ontario for **permanent** use outside the province.

HOW IS TAX CALCULATED ?

Purchases

The tire tax is a flat tax of $5 per tire ...ether purchased separately or included with the purchase of a vehicle. Effective June 1, 1989, the tire tax forms part of the value on which 8% retail sales tax is calculated.

A purchaser who pays to upgrade tires **after** taking delivery of a new car is required to pay tire tax on the original tires **and** the upgraded tires.

On promotional sales, such as two tires for the price of one, tire tax is paid by the purchaser on each tire included in the sale. Vendors who give away tires as promotional distribution are required to pay tire tax on each tire.

Customers who have tires replaced under warranty at no charge are not required to pay the tire tax. However, if a customer is required to pay **any amount** as an adjustment to replace a defective tire, the $5 tire tax will apply.

Lease or Rentals

Vendors who rent out or lease vehicles are not required to pay tire tax on tires included in the purchase of these vehicles or on replacement tires for them.

In all cases where tire tax is payable, the tax must be added to the rental or lease charge before calculating 8% sales tax.

Rentals

Tire tax should be charged to the first customer who rents:

- a new vehicle that is rented for the first time for 7 consecutive days or more after May 31, 1989 or
- a vehicle on which one or more pneumatic tires have been replaced and the first rental with the replacement tires for 7 consecutive days or more occurs after May 31, 1989.

The Retail Sales Tax Branch will consider reasonable proposals from rental companies to ease the burden of collecting the new tire tax on short-term rentals of vehicles or equipment. Proposals should be submitted in writing to:

Tax Advisory Programs
Retail Sales Tax Branch
Ministry of Revenue
P.O. Box 623
Oshawa, Ontario
L1H 8H7

Once the Retail Sales Tax Branch approves a proposed method of collecting the tire tax on short-term rentals, the rental company should apply it consistently. The approved proposal will be valid until rescinded by the Branch.

Leases

Leasing companies may use one of the following options:

1) Collect the new tire tax in full on the due date of the first lease payment. This method should be applied if no gas-guzzler taxes are involved.

2) If the leased vehicle is subject to the gas-guzzler tax, collect the new tire tax as well as the gas-guzzler tax in full on the due date of the first lease payment

   or

   collect the new tire tax with the gas-guzzler tax over the term of the lease.

Companies that lease **tires only** are required to charge tire tax on the first long-term leases of new pneumatic tires after May 31, 1989. The tire tax is collectable in full on the due date of the first lease payment.

REMITTING THE TAX

New Pneumatic Tires Sold in Ontario:

Vendors should show the tire tax separately on each invoice and in their records. Tire tax should be included with retail sales tax reported on line 2 of their retail sales tax returns.

Vendors must account for tire tax on vehicles or tires taken from inventory for business or personal use by staff, family or others. (See Sales Tax Guide 712, "Dealers' Own Use of Vehicles").

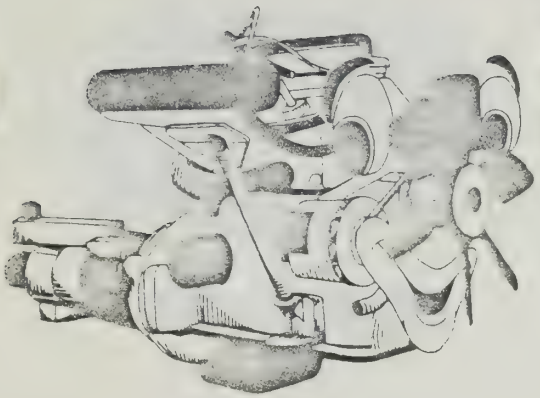
New Tires Brought into Ontario:

Effective June 1, 1989, people who purchase new pneumatic tires outside Ontario and bring them into the province within 6 months after purchase must pay the tax as follows:

- Vendors bringing in new tires for their own use remit the tax on line 3 of their retail sales tax returns.
- Other purchasers may pay the applicable tax to the nearest Retail Sales Tax Office.
- If the tires are included in the purchase of a current or prior model year vehicle, the new tire tax may be paid when the vehicle is first registered in Ontario at a motor vehicle office of the Ministry of Transportation.

In all instances above, the new tire tax forms part of the taxable value on which the 8% retail sales tax is calculated.

The information in this publication is only a guideline. For more specific information, please consult the Retail Sales Tax Act or contact your local Retail Sales Tax Office listed in the blue pages of your telephone directory.



COSIMO'S GARAGE LTD.

150 Chatham St.
Hamilton, Ont. L8P 2B6
416 522-4188
416 522-4191

October 13, 1989

To Whom it May Concern:

Please be informed that garage labour rates have been increased in the past years due to the demand of repairs required. In 1987 the hourly labour rate was $32, but in 1989 the rate had to be increased to $45 an hour.

Sincerely,

Cosimo Balice
Owner Taxi 96

cb:mf

Decaire's Auto Collision

We're the PERFECTIONISTS

[redacted]

To whom it may concern:

In today's economy, it's hard to know what a dollar is worth. Our sense of the salary we deserve, or the amount of rent it's reasonable to pay, becomes increasingly distored.

In such times it is helpful to reorder our priorities around what we value most -- and at DECAIRE'S that means the best possible people to achive the best possible work at the best possible price!!!

We therefore feel it necessary to adjust our pricing as follows:

FRAME	$32.00 per hour (27.00 labour +5.00 material)
BODY	$30.00 per hour (27.00 labour +3.00 material)
PAINT	$30.00 per hour plus 40% of hourly rate for material.

These increases will enable us to cover increased costs,continue purchasing the necessary new equipment and educate and train management and staff in order to continue to provide quality service and performance.

Very truly yours,

DECAIRE'S AUTO COLLISION

Daniel McCoy
President

DMc: sa

227 JOHN STREET NORTH, HAMILTON, ONTARIO L8L 4P4 527-0555

Decaire's Auto Collision

We're the PERFECTIONISTS

January 1987

Dear Customer:

In today's economy, it's hard to know what a dollar is worth. Our sense of the salary we deserve, or the amount of rent it's reasonable to pay, becomes increasingly distorted.

In such times it is helpful to reorder our prioities around what we value most -- and at DECAIRE'S that means the best possible people to achieve the best possible work at the best possible price!!!

In order to continue to strive for high ideals we are adopting the H.A.R.A. (Hamilton District Autobody Repair Association)recommended wage rates as follows:

FRAME	$45.00 per hour (40.00 labour + 5.00 material)
BODY	$35.00 per hour (30.00 labour + 5.00 material)
PAINT	$30.00 per hour plus 40% of hourly rate for material.

We feel that the above rate increases are realistic given that the last rate increase took place [redacted] and since that time the Consumer Price Index has gone up 5% and the cost of equipment has increased by up to 30%.

The above increases will enable us to continue purchasing the necessary new equipment and educate and train management and staff in order to continue to provide quality service and performance.

Very truly yours,

DECAIRE'S AUTO COLLISION

Danny McCoy,
President

DMc: ls

227 JOHN STREET NORTH, HAMILTON, ONTARIO L8L 4P4 527-0555

Decaire's Auto Collision

We're the PERFECTIONISTS

January 1989

Dear Customer:

In today's economy, it's hard to know what a dollar is worth. Our sense of the salary we deserve, or the amount of rent it's reasonable to pay, becomes increasingly distorted.

In such times it is helpful to reorder our prioities around what we value most -- and at DECAIRE'S that means the best possible people to achieve the best possible work at the best possible price!!!

In order to continue to strive for high ideals we are adopting the H.A.R.A. (Hamilton District Autobody Repair Association)recommended wage rates as follows:

FRAME	$45.00 per hour (40.00 labour + 5.00 material)
BODY	$40.00 per hour (35.00 labour + 5.00 material)
PAINT	$40.00 per hour plus 40% of hourly rate for material.

We feel that the above rate increases are realistic given that the last rate increase took place January 1, 1985 and since that time the Consumer Price Index has gone up 5% and the cost of equipment has increased by up to 30%.

The above increases will enable us to continue purchasing the necessary new equipment and educate and train management and staff in order to continue to provide quality service and performance.

Very truly yours,

DECAIRE'S AUTO COLLISION

Danny McCoy,
President

DMc: ls

227 JOHN STREET NORTH, HAMILTON, ONTARIO L8L 4P4 527-0555

BLUE LINE

September 27, 1989

City Hall Fees

	1987	1989	%Inc.
Maintain priority list	$ 0	50.00	@NA
Renew taxi licence	15.00	25.00	66%
Taxi owner licence	125.00	138.00	10.4%
Taxi broker licence	200.00	219.00	9.5%
Transfer fee	500.00	549.00	9.8%
Taxi cab owners plate	2,500.00	2,743.00	9.7%
Leasing			
(initial agreement)	0	50.00	@NA
(additional car)	0	175.00	@NA

BLUE LINE TRANSPORTATION LTD., 160 JOHN ST. S., HAMILTON, ONTARIO L8N 2C4 Tel. (416) 525-2788
MAILING ADDRESS: P.O. BOX 1006, STATION A, HAMILTON, ONTARIO L8N 3R1

Dale & Company Ltd.
insurance brokers
Dale-Parizeau inc.

October 5, 1989

Rizzuto Brothers
c/o Blueline Transportation Ltd.
P.O. Box 1006 Station A
Hamilton, Ontario
L8N 3R1

Attention: Mr. Anthony Rizzuto Jr.

Dear Anthony:

At your request, I have researched, over the last seven years, the cost of taxi insurance experienced by multi vehicle owners and brokerages. For the purpose of this research, I have used the rates published by the Facility Association which was an insuring arrangement legislated by the Superintendent of Insurance in Ontario to insure automobile risks that were not acceptable by the general insurance companies in Ontario.

Since 1985, the majority of taxis have been insured with the Facility Association expecially those which had multi-drivers or those owners who controlled more than three vehicles.

The individual rates experienced by some owners could deviate by such underwriting factors as, driving experience, claims, number of drivers, age of vehicle, seating capacity, convictions etc. For the purpose of this letter, the rates quoted for discussion will be based on the "Base" rate and will not take into consideration driving convictions or accidents. The rates outlined below will be based on $1,000,000 Third Party Liability, Accident Benefits and the necessary endorsements for a vehicle to be operated as a taxi. There is no allowance in the rate for physical damage to the vehicle itself.

The Rates are as follows:
1982- $3,089.00 Approximately
1985- $6,175.00 Approximately
1986- $8,636.00 Approximately
1987- $7,800.00 Approximately
1989- $8,800.00 Approximately

Continued Next Page

Suite 304
110 King Street West
Hamilton, Ontario L8P 4S6
tel.: (416) 527-1210 telex: 061-8385

Complete insurance services from coast to coast

Dale & Company Ltd.
insurance brokers
Dale-Parizeau inc.

It should be noted that in 1987 the Provincial Government reduced the commission rate on the Facility book of business during the Government's inquiry into automobile insurance in Ontario.

The rates in this report as previously mentioned are "base " rates and individual policy holders could have experienced higher or lower premium charges depending on their driving record.

If additional information is required, please do not hesitate to contact our office.

Yours very truly,

John C. Simpson
Branch Manager

JCS/bao

Suite 304
110 King Street West
Hamilton, Ontario L8P 4S6
tel.: (416) 527-1210 telex: 061-8385

Complete insurance services from coast to coast

3(a)

FOR ACTION

REPORT TO: Mr. J. Thompson, Secretary
Legislation Committee

FROM: S. J. Dembe, Manager
Licence Division

DATE: 1989 Oct. 17
COMM FILE:
DEPT FILE:

SUBJECT: Amendment to Taxicab By-law 89-249
Respecting Rates or Fares

RECOMMENDATION:

(a) That Section 34. 1. (ii), and 3. of By-law 89-249 be repealed.

(b) That the City Solicitor be authorized and directed to submit the amending by-law directly to City Council.

S. J. Dembe, Manager
Licence Division

FINANCIAL IMPLICATIONS (IF NONE, STATE N/A)

N/A

BACKGROUND

In conjunction with the report from the Taxi Advisory Committee recommending a Taxi Fare increase, the above sections of Taxicab By-law 89-249 are antiquated and no longer relevant to the industry and, therefore, should be repealed.

SJD/hm

3(6-)

FOR ACTION

REPORT TO: Mr. J. Thompson, Secretary
Legislation Committee

FROM: S. J. Dembe, Manager
Licence Division

DATE: 1989 Oct. 19
COMM FILE:
DEPT FILE:

SUBJECT: Taxicab By-law 89-249

RECOMMENDATION:

(1) That Sections 23 and 25 of By-law 89-249 be amended

(a) to remove Taxicab Owners from the definition of "full time" of not less than 2 shifts per week and 100 shifts per year as a requirement for applying for entry on to the Priority List and for issuance of a licence from the Priority List.

(b) to clarify the proof requirement of Taxicab Owners to show involvement in the Taxi Industry by way of monthly charge statements, or such other or equivalent documentation as the Licence Committee may accept.

(c) to define "full time" employment for a Taxicab Driver to mean not less than 100 shifts or equivalent and for a Taxicab Dispatcher and Taxicab Telephone Service Operator to mean not less than 150 shifts or equivalent.

(d) to reflect minor housekeeping amendments as may be deemed necessary to the by-law.

(2) That the City Solicitor be authorized and directed to undertake the preparation of the amending by-law for submission directly to City Council.

S. J. Dembe, Manager
Licence Division

FINANCIAL IMPLICATIONS (IF NONE, STATE N/A)

N/A

BACKGROUND

Further to my memorandum of October 12, 1989, a copy of which is attached, where I alluded to the possibility of forwarding additional recommendations to the Committee, and after consultation with legal representatives, it is now necessary to have the above recommendation approved by the Committee in order to amend the Taxicab By-law.

SJD/hm

Corporation of the City of Hamilton

Memorandum

****

TO: Alderman V. J. Agro
Chairman, Legislation Committee

FROM: Mr. S. J. Dembe
Manager, Licence Division

OUR FILE:
PHONE: 526-2752

SUBJECT: Taxi Cab By-law 89-249

DATE: 1989 October 12

This is to confirm that an informal meeting was held on Tuesday October 9, 1989, with you, Alderman D. Drury and myself present.

During the discussion, I advised that the previous deliberations of the Legislation Committee concerning taxi industry concerns resulted in the Committee putting forward a by-law to resolve a number of serious inequities. One of the key areas which was identified pertained to livery vehicles which were infringing on traditional taxi business and another involved the increased demand for taxi cabs particularly during late evening hours and weekends. With the school contract business soon to be let, it was the taxi industry's wish to receive quick passage of the by-law thus potentially reducing the need for as great a number of livery vehicles as were issued in the past due to an increase in the number of authorized taxis.

Because the by-law was quickly drafted and was still in the process of being amended even as late as the date of it's passage by City Council, two significant areas of the by-law respecting taxi cab owners who are not drivers (i.e. lessees, fleet owners and managers) and seasonal cab drivers (a substantial number of cab drivers don't drive during summer months as taxi demand is at it's lowest during this time period) would not eligible for a taxi owner's licence from the priority list. Although the intent of the Committee and the Industry was to recognize these two groups, the by-law makes no provision for them and requires them to work 2 shifts per week for 50 consecutive weeks and for 2 consecutive years immediately proceeding the date of consideration by the City of Hamilton Licence Committee.

I further advised that staff would attempt to bring an amended by-law to the Legislation Committee meeting on October 23, 1989. This by-law would also contain minor housekeeping changes.

I also noted that further resolutions were not required to amend the existing by-law as it appeared that the previously adopted resolutions gave appropriate direction with respect to the aforementioned cab owners and drivers. If however, it becomes necessary, additional resolutions will be forwarded to the Committee along with the by-law amendments.

SJD/sp

c.c. - Alderman D. Drury, Chairman Taxi Advisory Committee
- Mr. P. Barkwell, Solicitor's Office
- Ms. L. Lawrence, Solicitor's Office
- Mr. J. Thompson, Secretary Legislation Committee

FOR ACTION

4.

REPORT TO: Mr. J. D. Thompson
Secretary, Legislation Committee

FROM: Mr. E. C. Matthews
Treasurer

DATE: 1989 October 18
COMM FILE:
DEPT FILE:

SUBJECT: Per Diem Rate

RECOMMENDATION:

(a) That the present Per Diem rate of $50.00 for elected and appointed officials attending conferences and conventions, established by City Council at their meeting of 1981 January 27, be revised to $65.00 based on the Consumer Price Index for travel within Canada. For travel outside of Canada, a rate of $65.00 U.S. will apply. This new rate will be effective 1990 January 1, and,

(b) That the City Treasurer be authorized to increase the above rate annually at January 1 based on the Consumer Price Index at previous September 1.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

$15.00 increase in the Per Diem rate for travelling from $50.00 to $65.00.

BACKGROUND:

The Legislation Committee, at its meeting held 1989 April 3, requested a review of the present **Per Diem Rate** for the City with a view to consider upgrading it and establishing uniformity with the policy of the Regional Municipality of Hamilton-Wentworth and other municipalities.

The City's present Per Diem Rate was established in the year 1981. If we consider the 1981 Consumer Price Index as 100 (annual average), the 1989 Consumer price Index would be 149.8 (annual average) based on the latest statistics available. If this is applied to the 1981 Per Diem Rate of $50.00, the current Per Diem Rate statistically should be $75.00. In view of the current prevailing rates for the municipalities as listed below, I am recommending $65.00 with a consumer price index adjustment for the future years. Assuming the $50.00 rate was a valid figure in 1981, it makes sense to raise it to, at least, $65.00 in 1990 and to apply Consumer Price Index to this base annually thereafter.

The Per Diem Rate varies from municipality to municipality in the range of around $50.00 to $100.00. The majority of the municipalities pay a Per Diem Rate of around $50.00; however, some of the municipalities with over $50.00 Per Diem Rate are Metro Toronto ($67.00), City of Toronto ($65.00), City of North York ($60.00), City of London ($70.00), City of Windsor ($55.00 to $100.00).

cc: Mr. L. Sage, Chief Administrative Officer
Mr. Wm. M. Carson, Chief Administrative Officer, Region
Mr. G. W. Lawson, Treasurer and Commissioner of Finance, Region
Mr. J. D. Thompson, Secretary, Finance Committee

FOR ACTION

5.

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 October 18
COMM FILE:
DEPT FILE:

SUBJECT:

Citizen Appointments to Fill Vacancies on the Hamilton Status of Women Sub-Committee

RECOMMENDATION:

That the Hamilton Status of Women Sub-Committee be requested to establish a Selection Committee to interview all the citizen applicants, and as a result of the interviews, report back to the Legislation Committee with its recommendations for appointment to the Hamilton Status of Women Sub-Committee.

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

Attached are the letters of application for citizen appointment to the Hamilton Status of Women Sub-Committee.

Attachments

Corporation of the City of Hamilton

Memorandum

****

TO: Mr. J. D. Thompson
Secretary, Legislation Committee

YOUR FILE:

FROM: C. J. Coutts, Secretary
Legislative Assistant II

OUR FILE:

PHONE: 526-3994

SUBJECT: **CITIZEN APPOINTMENTS TO HAMILTON STATUS OF WOMEN SUB-COMMITTEE**

DATE: 1989 October 3

Please find attached, letters of application for citizen appointment to the Hamilton Status of Women Sub-Committee.

Kindly forward the attached to the Legislation Committee for their review and appointment.

CC/mec

Attached

c.c. Mrs. S. Glover, Secretary
Hamilton Status of Women Sub-Committee

HAMILTON STATUS OF WOMEN SUB-COMMITTEE

— — — — — — — — — — — — — — — — — — — —

2 to be Appointed

— — — — — — — — — — — — — — — — — — — —

Applicants:

Ms. Mary Carson, 10 St. Andrews Drive, Unit 54, Hamilton, Ontario, L8K 5J6

Ms. Yael Greenberg, 150 Arkell Street, Hamilton, Ontario, L8S 1N8

Mrs. Diane MacSavaney, 552 Scenic Drive, Hamilton, Ontario, L9C 1G8

Ms. Jacqueline Munro, 707-200 Jackson Street W., Hamilton, Ontario, L8P 4R9

Ms. Elsie Paget, 26 Maple Avenue, Dundas, Ontario, L9H 4W4

Mrs. Lorraine Smith, 97 Arkell Street, Hamilton, Ontario L8S 1N6

E. A. SIMPSON
71 MAIN ST. W
HAMILTON, ONT.

RECEIVED
SEP 28 1989
CITY CLERKS

DEAR E. A. SIMPSON,

MY NAME IS MARY CARSON, MY RESUME IS ATTACHED TO THIS LETTER, AND I WOULD LIKE TO GET ACTIVELY INVOLVED IN AN ORGANIZATION THAT HELPS WOMEN.

I FEEL THAT MY 20 YEARS IN THE WORK FORCE HAS GIVEN ME EXPERIENCE IN DEALING WITH THE PROBLEMS AND ALSO OBSERVING THE ACHIEVEMENTS OF WOMEN WHO WORK FOR OUR COMMUNITY.

HAVING IMMIGRATED TO CANADA AT THE AGE OF 12, I HAVE FIRST HAND KNOWLEDGE OF STRUGGLES IN ADJUSTMENTS THAT MOST WOMEN WHO IMMIGRATE HAVE TO ENDURE.

AFTER 24 YEARS AS A WORKING SINGLE PARENT, I WOULD LIKE TO SHARE MY EXPERIENCE WITH THE MANY SINGLE MOTHERS WHO ARE TRYING TO DO THE SAME TODAY. I ALSO FIND, THAT AS A SINGLE PARENT WHO HAS RAISED HER CHILDREN TO THE POINT OF INDEPENDENCE, I HAVE THE TIME TO BE A DEVOTED MEMBER OF THE N.A.C.

THANK YOU

Mary Carson

SEPT., 27th, 1989
HAMILTON, ONT.
(416) 573-1166

10 St. Andrews Drive
Unit# 54
Hamilton, Ontario

MARY CARSON'S RESUME
(573-1166) HAMILTON ONT.

EDUCATION:

- DIPLOMA IN E.C.E.
  [EARLY CHILDHOOD EDUCATION]
  SHERIDAN COLLEGE OAKVILLE

- ACCOUNTING [FIRST YEAR]
  MOHAWK COLLEGE HAMILTON

HOBBIES AND INT:

- PRESENTLY ENROLED IN C.G.A. COURSE WITH THE ASSOCIATION OF CANADA.

WORK EXPER:

- OWNER/OPERATOR
  BOOKKEEPING SERVICES
  HAMILTON ONTARIO

- ACCOUNTING CLERK
  STANVAN MFG. CO. LTD.
  MISSISSAUGA ONTARIO

- HOUSEMOTHER
  INTERVAL HOUSE OF
  HAMILTON WENTWORTH
  (SHELTER FOR ABUSED
  WOMEN AND CHILDREN)
  HAMILTON ONTARIO

- TEACHING E.C.E.
  3 YEARS OWNER/OPERATOR
  SATELLITE DAY CARE CENTRE
  HAMILTON ONTARIO

- BOOKKEEPER
  STONEY CREEK BOOKKEEPING SERVIC

- MANAGER
  BANTAM VARIETY STORE
  STONEY CREEK

- SAWING MACHINE OPP. HAMILTON

CITY CLERKS

SEP 14 1989

August 14, 1989.

Secretary of the Status of
Woman Subcommittee,
City Hall.
71 Main St. W.
Hamilton, Ontario.

Dear Members:

This letter is to inform you about my interest in becoming a member of the Status of Women Subcommittee, at City Hall. I have had a long-standing interest in the theoretical and clinical aspects of women's issues. This year I received admission into the M.A. Social Welfare Policy programme at McMaster University (which I have deferred until the beginning of September, 1990). Unfortunately, I have not had the opportunity to work for a committee that addresses women's social and economic problems in a practical manner. I look forward to contributing my educational, clinical and organizational background, towards the projects that the Status of Women Subcommittee have undertaken.

Enclosed is a brief resume profiling my skills, knowledge, and experience. I will be happy to provide you with further information, recommendations, etc.

Thankyou for your thoughtful consideration in regards to my application. I look forward to hearing from you.

Yours Sincerely,

Yael Greenberg,
150 Arkell Street,
Hamilton, Ontario,
L8S 1N8

1(416)524-2687

YG/cb

Encl.

Yael Greenberg
150 Arkel St.
Hamilton, Ontario
L8S 1N8

EDUCATION

May 89 — Admission into the M.A. (Social Welfare Policy) programme in the School of Social Work at McMaster University (deferred to the session beginning September, 1990).

Sept 88-May 89 — Completed senior social welfare policy courses in the School of Social of Social Work at McMaster University,(prerequisite for the S.W.P.)
Note: Undertook 3 research projects addressing social, economic and legal aspects of the abortion issue.

Sept 84-May 87 — Completed Year III of the Bachelors of Science Degree Programme in Occupational Therapy at the University of Toronto.
Field Placement: Intership in physical medicine.
Intership in psychiatric setting.

Sept 80-May 84 — Successfully completed an Honours Sociology Degree Programme at McMaster University.
Note: Special academic interests included psycho-social and economic aspects of women's problems in everyday living. This resulted in my decision to pursue a career in psychiatric O.T.

REVERANT WORK EXPERIENCE

Jan 88-May 88 — Independent Research Project: negatiated a contract with a Hamilton-based lawyer to compile a detailed medical-legal directory. The aim of the directory was to gather and organize information concerning the goals, policies and treatment plans of various chromic pain patients and patients who sustained head injuries.

VOLUNTEER WORK

1984-Presently — Member of the Executive of Pioneer Women Na'amat of Hamilton:
(meets once a month). The purpose of this volunteer organization is to educate and raise funds, in order to ameliorate the social; economic and political conditions of Jewish and Arab women in Israel.

1988 — Served as the Convenor of the Authurs Luncheon:
(the major fund-raising event of Na'amat)
Responsibilities included overseeing and directing all the sub-committees, plus maintaining contact with the guest author and publishing house.

Presently — Serving as the Co-chairperson of the Programme Committee
Responsibilities included programming the social, cultural and educational activities for the members of the organization, year round.

1984-1988 — Member of the Programme Committee.

RECEIVED
SEP 26 1989
CITY CLERKS

552 Scenic Drive
Hamilton, Ontario
September 25, 1989

Mr. E. A. Simpson
City Clerk, City Hall
71 Main Street West
Hamilton, Ontario
L8M 3T4

Dear Mr. E. A. Simpson:

I wish to be considered for appointment to the Hamilton Status of Women Sub-Committee. As a career woman and a Guidance Counsellor, I have had a particular interest in issues which affect women. As a concerned citizen, who has had considerable experience in working with female students as well as other women, I feel that I will be able to make a contribution. In addition, I shall be able to act as a liaison with the Status of Women Committee of District 8 of the Ontario Secondary School Teachers Federation.

Please find enclosed my Curriculum Vitae and Alpha Delta Kappa Brochure.

Yours sincerely,

Dune MacSavaney

DM/ja

D. MacSavaney (Mrs.)

C U R R I C U L U M V I T A E

Diane MacSavaney
552 Scenic Drive
Hamilton, Ontario
L9C 1G8 Telephone Number: 388-0740

Graduate - University of British Columbia
Employer - Hamilton Board of Education
Position - Head of Guidance - Sherwood Secondary School
1985 - Present
Dean of Women - H.C.I. - 1969 - 1984

Member of the following organizations :

Hamilton Art Gallery
Canadian Nature Federation
Ontario School Counsellors Association
Canadian Guidance and Counsellors Association
Hamilton Counsellors Association

Alpha Delta Kappa is an International Honorary Sorority for Women Educators which consists of 57,000 members. Grand Chapter is the International Executive.

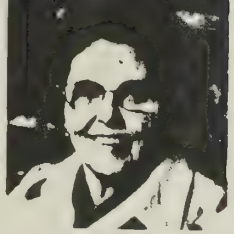
1978-1980 - Charter President - Rho Chapter - Alpha Delta Kappa
1982-1984 - Ontario President of Alpha Delta Kappa
1987-1989 - Grand Vice President of North Central Region (elected by nine States and 3 Provinces)
1989-1991 - Grand Chaplain - (elected by delegates at International Convention - July, 1989 - Seattle, Wa.)

Director and Secretary of Raven Lake Property Association.

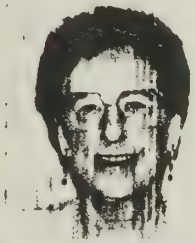
I have served on the following Committees of District 8 O.S.S.T.F.:

P.A.C. (Political Action Committee)
H.C.I. Branch President

Presently member of the Status of Women.



Executive Board Member–
PAULINE M. GRAHAM
Joplin, Missouri



Executive Board Member–
KATHRYN STAFFORD
Indiana Zeta
Indianapolis, Indiana



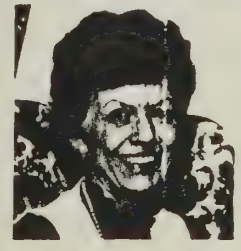
Executive Board Member–
BETTY J. HOUSTON
Indiana Beta
Music Teacher
Southport Middle School
Indianapolis, Indiana



Executive Board Member–
MILDRED C. WRIGHT
Tennessee Fidelis Alpha
Jackson, Tennessee



Executive Board Member Elected by International Convention Delegates–
SUE HANKS
Texas Gamma Nu
Professor
Collin County Community College
McKinney, Texas



Administrative Assistant–
OPAL LUNSFORD
Kansas City, Missouri

PURPOSES

a. To give recognition to outstanding women educators who are actively engaged in teaching, administration or in some specialized field of the teaching profession.
b. To build a fraternal fellowship among women in the teaching profession which will add to their effectiveness in the promotion of excellence in education.
c. To promote high standards of education and thereby strengthen the status and advancement of the teaching profession.
d. To promote educational and charitable projects and activities, to sponsor scholarships, to further and maintain worthy standards in the field of education and to cooperate with worthy community programs relating to education and charities.
e. To contribute to world understanding, goodwill, and peace through an international fellowship of women educators united in the ideals of education.

ELIGIBILITY

To be eligible for membership in Alpha Delta Kappa, a woman must meet the requirements as outlined in the Alpha Delta Kappa Constitution and Bylaws.

OBLIGATIONS OF MEMBERSHIP

1. To abide by the principles and policies of Alpha Delta Kappa as established by the Constitution and Bylaws.
2. To be loyal to the ideals and objectives of Alpha Delta Kappa; to be an active participating member, to attend chapter meetings, to serve in official capacities, to contribute to the good of the Sorority, to assume financial obligations of Alpha Delta Kappa, and to maintain high standards of personal, social and professional conduct.

PUBLICATIONS

1. Magazine: The "Alpha Delta Kappan," two issues a year.
2. The "Columns" published by Alpha Delta Kappa seven times each year.
3. Bylaws, Fraternity Education Manual, Officer and Committee Manual, Pledging Manual, Preparation for Initiation for Pledges.

INTERNATIONAL PROGRAMS

1. Regional scholarship programs for members of Alpha Delta Kappa.
2. The Alpha Delta Kappa International Teacher Education Program.
3. Fine Arts Grants.
4. Living Memorial Scholarship.
5. International Education Program.

HISTORY

Alpha Delta Kappa was issued a charter August 13, 1947, incorporating it as a national sorority for women educators, with the privilege to organize chapters in every state in the United States. In 1956 Alpha Delta Kappa was made international with authorization to establish chapters in other countries. Alpha Delta Kappa now has chapters in fifty states, the District of Columbia, Puerto Rico, Canada, Mexico, Argentina, Jamaica, England, Thailand, Australia and New Zealand.

ALPHA DELTA KAPPA

International
Honorary Sorority
for Women Educators

INTERNATIONAL HEADQUARTERS

1615 West 92nd Street
Kansas City,
Missouri 64114-3296

Telephone (816) 363-5525



Grand President–
LUCILLE G. SEBREN
Virginia Sigma
Norfolk Academy
Norfolk, Virginia



Grand President-Elect–
RUTH HOLLAND WALSH
Connecticut Zeta
Developmental Reading
Deans Mill School
Stonington, Connecticut



Regional Grand V.-President
Gulf Region–
CHRISTINE T. MURPHREE
Louisiana Eta
Baton Rouge, Louisiana



Regional Grand V.-President
North Central Region–
DIANE MACSAVANEY
Ontario Rho
Head of Guidance
Sherwood Secondary School
Hamilton, Ontario



Regional Grand V.-President
Northeast Region–
RUTH W. MCKEE
New York Sigma
Mount Vernon, New York



Regional Grand V.-President
Northwest Region–
PATTI M. ABBOTT
Montana Gamma
Sixth Grade Teacher
Burlington School
Billings, Montana



Regional Grand V.-President
South Central Region–
KATY PAT DORSEY
Missouri Omicron
Kindergarten
Renner Elementary
Kansas City, Missouri

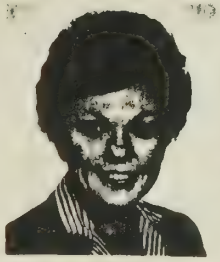


Regional Grand V.-President
Southeast Region–
MARY RUTH HEIL
North Carolina Fidelis Nu
Hendersonville, North Carolina



Regional Grand V.-President
Southwest Region–
MARIANNE KENNEY
Nevada Gamma
Chapter I
Walter Bracken Elementary
Las Vegas, Nevada

ALPHA DELTA KAPPA Grand Chapter 1987-1989



Grand Historian–
JOAN ELIZABETH PIERCEFIELD
Indiana Alpha
Director of Guidance
Lawrence North High School
Indianapolis, Indiana



Grand Sergeant-at-Arms–
ETHEL N. HASEGAWA
Hawaii Fidelis Alpha
Honolulu, Hawaii



Grand Chaplain–
DORIS CANTRELL
Texas Gamma Lambda
Palestine, Texas



President of International
Council of Presidents–
DR. ELLEN MARY RODERICK
Maryland Beta
Chief, Education and Training
HQ Defense Mapping Agency
Washington, District of Columbia



Chairman of Executive Board
and Immediate
Past Grand President–
MAYME CHINN
California Alpha Psi
Assistant Superintendent of
Elementary Schools
San Francisco Unified School District
San Francisco, California



Executive Secretary–
LOUISE BALES
Kansas City, Missouri

RECEIVED
SEP 29 1989
CITY CLERKS

200 Jackson St W
#707
Hamilton, Ont
L8P 4R9
Sept 29, 1989

Mr E A Simpson
City Clerk, City Hall
71 Main St W
L8N 3T4

Dear Mr Simpson:

I wish to be considered for appointment to the Hamilton Status of Women Sub-Committee 1989

I am interested in furthering opportunities for women in the age category 40-60 yrs in the labour force & extending Training and opportunities for women who have been unemployed for a period of six years and over.

As far as elections go, its a sign of the times that women candidates have almost become commonplace

In nine ridings where women won there was at least one other female contender In two of these ridings all three major political parties fielded female candidates

Electing 20 women members out of 130 is good news but not great news - still only 15%

The goal should be equal representation for women in the legislature bodies of our country.

I am interested in organizing a booth at Women's World & assisting at the 1990 Women of the Year Banquet

As far as employment goes & salaries: equal pay for work of equal value.

Sincerely,

Jacqueline Munro

PERSONAL DATA

522-7070

JACQUELINE MUNRO
200 JACKSON ST. W.
#707
HAMILTON, ONT.
L8P 4R9

OBJECTIVE

Library Technician position or position in the Performing Arts.

EDUCATIONAL QUALIFICATIONS

Completed Grade XII(Strathallan School, Hamilton) and Grade XIII (Senior Matric) Westdale Collegiate, Hamilton, Ontario. Attended Canada Business College, Hamilton 1 year (typing and record keeping).

ADDITIONAL EDUCATION

University of Toronto - BA course, specialized in French and German & Social Sciences.

Completed French courses, France Canada and Alliance Francaise, Toronto.

Banff School of Fine Arts, University of Alberta; majored in Theatre and Stage Movement; completed the diploma course.

Completed Public Relations Course - Carleton University, in co-operation with the School of Journalism.

Completed a Writing Course in conjunction with the School School of Journalism.

Public Service Examination in French for secretaries and passed; also was successful in the typing test.

I have completed the following Library courses at Algonquin College while on the staff of the GSL.

Reference Service I,II
Cataloguing and Classification I,II
Library Methods and Equipment
Audio-Visual Methods

I have completed a review course in Libraries recently.

I have completed the course "Tourism & Hospitality" at Mohawk College.

I attended a workshop on fundraising sponsored by the Hamilton & Region Arts Council.

EMPLOYMENT HISTORY

Position in Hamilton, Nov. 1987 - Canada Post.

Positions in Ottawa, 1974 - 1985

Sport Information Resource Centre
Inter-Library Loans and general Reference work and indexing.
I left this position Feb. 1985 due to my mother's illness.

Department of National Revenue - Taxation Library. I was in a SI I library technician position.
I was in charge of Inter-Library Loans and Ref. work in English and some French.

Department of the Secretary of State - I as attached to the cataloguing Department of the Library.

Department of Transport - Position in the GSL Library at a CR 2 level, the Periodical section of the Library where I recorded all the entries on three different kardices, including the core list. I routed all the periodicals to the various sections of Transport, until this system was changed. I opened sorted and distributed all the mail in the library, and arranged all periodicals on the shelf, both for the core list, and answered any questions regarding periodicals in the absence of the Head of the Periodical section. I was responsible for the changing of designators, and typing of correspondence (I.B.M. Selectric typewriter) regarding subscriptions.

National Arts Centre - set up index for Performing Arts Library, and charte out system including Le Theatre Capricorne. I was attached to the Administrative Department.

Secretarial Staff(Members Secretary) House of Commons.

Positions in Toronto, 1964 - 1973

Librarian Assistant - Princess Margaret Hospital, Toronto (Cancer Research) 2 years.

Legal Librarian Assistant - Osgoode Hall Great Hall Library, over 4 years (being in charge of Most recent text books in every field of law). I was also responsible for visible file, which records all the periodicals, their date of entry, vols. indices, etc. Reference work including searches of cases and statutes and working with professors and graduate students. Other duties included catalogue work, and answering telephone inquiries on subjects of law.

Secretarial work - Ontario Government, Dept. of Education

EMPLOYMENT HISTORY

Sept.1939 - Temporary agencies in Hamilton.

Summer employment
Program Director in charge of station - Dept. of Parks and Recreation (Toronto)

Hamilton - Department of National Defence (Canadian Westinghouse)
Secretary and receptionist (two years)

EXTRA CURRICULAR ACTIVITIES 1985 - 1987

I have completed the Co-op program of the St. Charles Adult Education Centre & have enrolled in a refresher course on the electronic typewriter.

I have completed a 10 week co-operative Adult Education placement program with the Children's Museum in Hamilton.

I have done volunteer work for several agencies.

I worked for Peter Street, Director of Public Relations at the Amity until the time of his death, so I was unable to get a letter of recommendation.
I typed up press releases, did research and composed letters.

Voluntary Action Cenre - Volunteer

I was on the Relationship Committee for the Hamilton Arts Task Force for 1986.

Hamilton Philharmonic Orchestra - Volunteer

I am sitting on the Committee for the Forum for Theatre

I am a member of the Volunteer Guild of the Bach - Elgar Choir.

I have been appointed to serve on the Arts Advisory Committee of the Parks & Recreation Committee until Nov. 30, 1988.

GENERAL INTERESTS - Drama, Music, Sports, Community work.

EXTRA CURRICULAR ACTIVITIES 1988 - 1989

I am sitting on the Committee for the Forum for Theatre.

I am enrolled again in a refresher course on the electronic typewriter at St. Charles East at 181 Belmont Avenue.

I am a volunteer with the Canadian Cancer Society as a Reach to Recovery Visitor and have completed the course.

I attended the Women of the Year Awards Dinner, February 2nd, 1989.

I have received a certificate of recognition from the Hamilton City Council and presented by Bob Morrow for my work on the Arts Advisory Sub-Committee, 1987 - 1988.

I did fundraising in my apt. building for the Canadian Cancer Drive, 1989.

I have done volunteer work at The Church of the Ascension, working on monthly newsletters and bringing phone lists of parishioners up to date.

I am undertaking Council Training Course on TV Hamilton - Cable 14 for television coverage of the City and Regional Council meetings.

REFERENCES

Mrs. P. Morton, Assistant Director
Catalogue Branch(National Services).
National Library of Canada
395 Wellington Street,
Ottawa, Ont.
KIA 0N4

Mrs. Carole Bregaint, Librarian,
Department of the Secretary of State Library,
30 Slater Street,
Ottawa, Ont.
KIA 6M5

Mr. Archie Campbell, Reference Teacher,
Public Service Commisssion,
300 Laurier Avenue,
Room 936, West Tower,
L'Esplanade Laurier, Ottawa.

Alderman Ben Nobleman
Ward One/City of York
2700 Eglinton Ave. W.
Toronto, Ont. M6M 101

Mrs. Ann Mulvale
Teacher
St. Charles Co-op Program
181 Belmont Ave.
Hamilton, Ont.
L8L 7M5

Mrs. Ruth Faulks
Secretary
The Church of the Ascension
64 Forest Ave. & John St. S.
Hamilton, Ont. L8N 1X1

RECEIVED
SEP 14 1989
CITY CLERKS

July 25th, 1989

JUL 28 1989

To:-
The Hamilton Status of Women Sub-Committee,
City Hall, 71 Main St. West, Hamilton, Ont.

In a recent conversation with Thelma Mc Gillivray, chair person, I learned that there is presently a vacancy on the Status of Women Committee. I have long been interested in the work of this committee and am aware of its contribution to society in the Hamilton area.

Born and educated in Hamilton, I have lived since marriage, in Dundas, and have helped to raise four children - all now adults with their own families. Apart from church and hospital volunteer work while our children were young, I served as chaperone and committee and board member for the Canadian Council of Christians and Jews' student exchange program over some fifteen years. This cross-Canada, cross-cultural program sparked an interest in French which eventually led to my M.A. in French. My interest lies in Canadian Studies, especially women's studies. I have been a part of the Women's Issues Group at Mc Master University

Cont'd on page 2.

for about five years. To further my ability to translate material pertinent to women's studies I am at present completing an M.A. in English at McMaster.

I have good research skills, am conscientious about work I undertake and and willing to learn new skills. I would like to be a member of the Hamilton Status of Women committee. If you have questions, would like an interview or references, please call me at any time.

Hoping to receive a favorable reply. I am

Yours truly
Elsie M. Paget.

26 Maple Ave.
Dundas. Ont.
L9H 4W4.
Tel: 628-8469

97 Arkell Street
Hamilton, Ontario
L8S 1N6

RECEIVED
SEP 14 1989
CITY CLERKS

SEP 14 1989

September 5, 1989

Stella Glover, Secretary
Hamilton Status of Women Sub-Committee
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Ms. Glover

I have been on holiday for several weeks and have just received notification that there will shortly be vacancies on the Hamilton Status of Women Sub-Committee.

I have enclosed a copy of my Employment Resume which includes all the necessary information pertinent to membership on the Sub-Committee.

In particular, I would like to draw your attention to the varied volunteer work in which I have been involved over the past twenty years. My resume touches only briefly on some of this. As an executive member of a Co-Operative Nursery School and several Home and School Associations, I have had the opportunity over the years to chair many committees and have played a leading role in the organization of major events.

I hope that you will give my application serious consideration.

Sincerely

Lorraine Smith

Lorraine Smith

RESUME

Lorraine Smith
97 Arkell Street
Hamilton, Ontario
L8S 1N6
Tel: 527-2357

Employment Objective: To obtain a job in which I will be able to make good use of my intelligence, organizational skills, and my interest in people.

Work Experience:

1989 — Badminton recreational group facilitator for the Dundas Recreation Department.

1984-1989 — Free lance Market Research Interviewing for Gallup Organization, Decima Research and others.

1966-1968 — Payroll Clerk for Inland Container Corporation, a manufacturing firm in Erie, Pennsylvania.

1963-1966 — Radiographer at Humber Memorial Hospital in Weston, Ontario.

Experience in Home: I have been married since 1966 and have two children. I consider home making and raising a family a full time job and my daily tasks permitted me to learn to understand young people, develop their sense of responsibility, and take part in their recreational activities. As well, I was responsible for looking after the family accounts, income tax returns, organization of family vacations and countless other details of family life and the upkeep of a home.

Volunteer Work: Reading Assistant, Library Assistant, Accommodation Committee member for the Hamilton Board of Education.

Treasurer and other Executive positions with three community Home & School Associations.

Scrutineer and Canvasser for a political party.

Canvasser for various charities.

Education:

1989	Westdale Secondary School, Information Processing, stressing WordPerfect 5.0.
1963-1965	Humber Memorial Hospital, Weston, Ontario, Radiography followed by Provincial Exams to gain Registration.
1957-1963	Weston Collegiate and Vocational School Honours Graduation Diploma.
1963---	Numerous night school courses which have broadened my interests - conversational French, furniture refinishing, chair caning, introduction to computers etc.
Other Activities:	Family, friends, various community activities, hobbies and pastimes which include badminton and other sports, reading, crafts and cryptic crosswords.
Special Aptitudes:	Reliable, honest, punctual, conscientious. Common sense with good interpersonal skills.
	Excellent working knowledge of English. Ability to communicate easily with others. Ability to meet challenges. Ability to work as part of a team or to lead a team.
	Member and active in MENSA Canada which is part of an international association for people with intelligence in the top two percentile.
	Knowledge of word processing, electronic typewriter, business math.
References:	Available on Request.

Corporation of the City of Hamilton

Memorandum

****

TO: Mr. J. D. Thompson
Secretary, Legislation Committee

YOUR FILE:

FROM: C. J. Coutts
Legislative Assistant II

OUR FILE:

PHONE: 526-3994

SUBJECT: **CITIZEN APPOINTMENT TO HAMILTON STATUS OF WOMEN SUB-COMMITTEE**

DATE: 1989 October 11

Please find attached, an application for citizen appointment to the Hamilton Status of Women Sub-Committee from Ms. Janice A. Bantle.

Kindly note that this letter of application was received late and I am forwarding it to you at this time for its review by the Legislation Committee.

CC/mec

Attached

RECEIVED
OCT 11 1989
CITY CLERKS

Hamilton Status of Women Sub-Committee
City Hall
71 Main St. W.
Hamilton, Ont.,
L8N 3T4

Oct. 10,1989.

Attention: Thelma McGillivray
Chairperson

As indicated in conversation with your office earlier this week, please find enclosed my curriculum vitae in regard to requests for new members of the committee.

References will be provided upon request.

Thank you for your attention to this matter.

Yours truly,

Janice Bantle

Janice A. Bantle

Curriculum Vitae
JANICE A. BANTLE

138 Ontario Ave.
Hamilton, Ontario
L8N 2X3
(416) 572-9077

BUSINESS EXPERIENCE

1989	Children's Aid Society of Hamilton-Wentworth, Associate Counsel. Responsibilites: Practice exclusively in Child Welfare Law with extensive Court appearances.
1987-1989	Bantle, Cox-Graham Barristers & Solicitors Hamilton, Ont. Responsibilites: Partner in law firm. Practice primarily in family law (Unified Family Court) with some files in civil litigation.
1985-1986	Larry H. Gilbertson and Associates Toronto, Ont. Responsibilites: Clerkship was exclusively in the area of civil litigation.

EDUCATION

Bar Admission Course (Toronto)
Called to the Bar of Ontario, April, 1987.

Batchelor of Laws 1985
Osgoode Hall Law School (Toronto)

Batchelor of Arts 1982
University of Alberta (Edmonton)
Degree in Political Science

LAW RELATED

1984-1985 Editor, Osgoode Hall Law Journal

AWARDS

1982 Queen Elizabeth Scholarship in Canadian Studies

AWARDS

1981	Government of Alberta Honours Award
1980	Government of Alberta Honours Award

OTHER INTERESTS

Guest Speaker	Hamilton District & Labour Council (1988/1989) Seminar on Separation and Divorce
	McMaster University International Women's Day Conference 1988
	T.A.M.I.'S Resource Centre for Young Mothers
	Family Life Programme (Hamilton-Wentworth)
	Economics in the Family (Hamilton-Wentworth Catholic Schools)
	Womens's Centre of Hamilton-Wentworth
	Zonta Club of Hamilton II
	Contemporary Careers for Women (1988/89) Industry Education Council
CHAIR	(1989-90) Zonta Club of Hamilton II
CO-CHAIR	(1988-89)Zonta Club of Hamilton II (Both years, Status of Women Committee)

PROFESSIONAL MEMBERSHIP

	Law Society of Upper Canada Canadian Bar Association Zonta Club of Hamilton II National Association of Women and the Law
OTHER MEMBERSHIPS	Canadian Abortion Rights Action League

FOR ACTION

6(a)

REPORT TO: Mr. J. Thompson, Secretary
Legislation Committee

FROM: Mrs. S. Glover, Secretary
Hamilton Status of Women Sub-Committee

DATE: 1989 October 17
COMM FILE:
DEPT FILE:

SUBJECT: **Use of Council Chamber for a Workshop on Employment Opportunities for Women**

RECOMMENDATION:

That permission be granted for the Hamilton Status of Women Sub-Committee to use the Council Chambers and the Aldermen's Lounge from 6:30 p.m. to 9:30 p.m. on Thursday, November 9 , 1989 for a workshop on Employment Opportunities for Women.

Stella Glover

Stella Glover, Secretary
Hamilton Status of Women Sub-Committee

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A/

BACKGROUND:

The purpose of this workshop is to provide the general public with information and a better understanding of the Employment Opportunities for Women and the effect of new reforms.

The workshop will be free of charge.

SG/jc

6(b)

FOR ACTION

REPORT TO: Mr. J. D. Thompson
Secretary, Legislation Committee

FROM: C. J. Coutts, Secretary
French Sub-Committee

DATE: 1989 October 11

COMM FILE:
DEPT FILE:

SUBJECT: **FRENCH WEEK/SEMAINE FRANCAISE**

RECOMMENDATION:

a) That the week of 1989 November 19 to 1989 November 25 be proclaimed "French Week/Semaine Francaise in Hamilton"

b) That permission be granted to the French Sub-Committee to use the Council Chambers on Monday, 1989 November 20 from 11:45 o'clock a.m. to approximately 1:30 o'clock p.m. for the purpose of conducting a proclamation ceremony for "French Week/Semaine Francaise"

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

On November 19, 1989 the French Language Services Act comes into effect. The Ontario government is committed to providing services in both English and French within those areas of the Province designated by the Act. The Regional Municipality of Hamilton-Wentworth has been designated and this means that beginning on 1989 November 19, the Ministries and agencies of the provincial government are legally obliged to provide the full range of services in French within our Region.

The French Language Services Act recognizes and guarantees the right of Francophones in Ontario to receive government services in French in all of the twenty-two (22) designated areas. In fact, it gives Francophones access to their own institutions, in their own languages.

Other Regional Municipalities designated under this Act will be holding similar ceremonies to welcome this new legislation.

FOR ACTION

6(c)

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 October 18
COMM FILE:
DEPT FILE:

SUBJECT:

Annual Children's Christmas Party, Local 167

RECOMMENDATION:

That permission be granted to the Canadian Union of Public Employees, Local 167 to use the lobby and foyer areas of City Hall on Sunday, 1989 December 17 from 1:00 p.m. to 4:00 p.m for their Annual Children's Christmas Party.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

This is an annual event at City Hall.

FOR ACTION

6(a)

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 October 18
COMM FILE:
DEPT FILE:

SUBJECT:

Hamilton Society of Architects

RECOMMENDATION:

That the request of the Hamilton Society of Architects for permission to use a portion of the 2nd floor foyer area from 1989 October 30 to 1989 November 11 for a display of an exhibition to present the submissions for the 1989 "Award of Merit", BE APPROVED.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

This display was exhibited in City Hall last year. The purpose of the display is to present the submissions for the 1989 "Award of Merit" for outstanding contributions to the greater Hamilton area in terms of architectural achievement.

6(e)

FOR ACTION

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 October 18
COMM FILE:
DEPT FILE:

SUBJECT:

Easter Seal Superthon

RECOMMENDATION:

That the request of the Rotary Club of Hamilton to utilize the Council Chambers on Saturday 1990 February 24 and Sunday, 1990 February 25 for the Easter Seal Superthon, BE APPROVED.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

Sufficient funding is provided annually for staff overtime in Account No. CH55222 10034, Use of City Hall Facilities and Equipment by Outside Groups.

BACKGROUND:

The Hamilton Rotary Club have been involved with fundraising for the Easter Seal Society for over 50 years.

Roger's Cablevision have agreed to have their staff and equipment available to the Easter Seal Society to produce local segments as part of the Easter Seal Superthon.

FOR ACTION

6(b)

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 October 18
COMM FILE:
DEPT FILE:

SUBJECT:

Latvian Society of Hamilton

RECOMMENDATION:

That the request of the Latvian Society of Hamilton for permission to fly their flag outside of City Hall from 1989 November 13 to November 19 in recognition of their Independence Day, BE APPROVED.

John Thompson

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

7(a)

FOR ACTION

REPORT TO: Mr. J. D. Thompson
Secretary, Legislation Committee

FROM: Mr. E. C. Matthews
Treasurer

DATE: 1989 October 18
COMM FILE:
DEPT FILE:

SUBJECT: Resolution - Pilgrims of Saint Michael
Bank of Canada funding for Municipal Infrastructure

RECOMMENDATION:

That no action be taken on the resolution submitted to all municipalities by the Pilgrims of Saint Michael regarding the funding of municipal infrastructure.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

The organization, Pilgrims of Saint Michael, has requested all municipalities to endorse their resolution "That this council urges the federal government to take the necessary step to get the Bank of Canada to create the requisite money to finance all the public works that are physically feasible and demanded by the population, these works being new wealth for our country".

The organisation seems to think that it is easy to print or create the required money and distribute them to the municipality at no cost and solve all the municipal infrastructure problems.

The Bank of Canada is a central bank, a bank for bankers. Its duty is to control the supply of money for Canada and maintain the country's fiscal and monetary policy. It is a complex organization which contracts bank reserves which in turn makes credit expensive (higher interest rates) and hard to get. This depresses private and public investment spending which put a damper on money income and prices. Thus through a complex mechanism it controls the value of the Canadian Dollar, restricts inflation of our economy, controls foreign trade, employment, Canadian and overseas foreign exchange markets, etc.

Under these circumstances it is impractical to think about the mechanism in the way that it requests endorsement of their resolution. I would, therefore, recommend that no action be taken on this resolution.

cc. Mr. JOhn Thompson, Secretary - Legislation Committee from Mayor Bob Morrow, Aug. 15/89

AUG 1 0

MICHAEL

For the Triumph of The Immaculate

Journal published by the Institute of Political Action
Pilgrims of Saint Michael

Gilberte Côté-Mercier, editor-in-chief

Maison Saint-Michel, P.O. Box 130
Rougemont, P.Q., Canada — J0L 1M0

Phone Rougemont: 469-2209
Montreal: 866-8106

July 29, 1989

Dear Mr. or Madam Mayor,
Dear town councillors,

Whenever it is a question of new public works, the main problem of municipalities - as well as the federal and provincial governments - is not to find the materials, know-how and manpower to carry out this new development, but to find the money to finance it.

Take the case of a municipality in need of an aqueduct. The local population demands the building of this aqueduct. All the requisite materials, workers and technology to build it are available, but if the municipality does not find the requisite money to finance this project, the population will have to do without this aqueduct. Similarly, in our country, there are hundreds of projects that are demanded by the population and which are physically feasible, but yet they are not executed because of a lack of money. The capacity to produce the aqueduct exists, but there is an incapacity to pay for it.

Municipalities can get the requisite money to finance the building of this aqueduct only through taxation or loans, which mean future taxes. And depending on the rate of interest charged by the bank on the loan contracted by the municipality, the taxpayers will finally have to pay twice, three times or even more, the real price of the aqueduct: they will pay those who built it once, and pay the bank twice or three times the real price of the aqueduct in interest charges plus the original capital borrowed.

Why should a municipality pay the price of three aqueducts in order to get only one ? Simple justice requires that it pays for this aqueduct only once, and pays only those who built it. But because of the interest charged on the loan, the municipality must pay the bank the equivalent of two other aqueducts. Yet, it is not the bank that built the aqueduct. The bank produced absolutely nothing; it only

.../2

lent the money, the figures, that allowed the country to make use of its own producing capacity - in this case, the necessary materials and workers to build this aqueduct.

In fact, without the production of all the inhabitants of our country, the figures created by the banker would be of no value whatever. Since the money lent by the banks is based on the producing capacity of society, in reality, this money belongs to society and not to the banks. And the legitimate representative of society is the government.

So, an organism appointed by the federal government could just as well create, for the different public bodies, the requisite money to finance the various public works that are physically feasible and demanded by the population.

Such an organism exists; it is the Bank of Canada. The federal government needs only to order it to create the requisite money and put it at the disposal of public bodies, to finance all new public works that meet the needs of the population. In the example of the aqueduct mentioned above, the municipalities would not have to get into debt any more; they would not have to pay for the aqueduct twice or three times in interest charges, and the taxpayers would be no more burdened with taxes. And the money created to finance the aqueduct would return to its source (the Bank of Canada) as the aqueduct wears away.

That is why our Movement - the Pilgrims of Saint Michael - launchs a great pressure campaign on the federal government to get it to put the Bank of Canada at the service of the various public bodies and all of the population. To stop developing our country because of a lack of money is nonsense and even a crime.

We have sent a memorandum to the Prime Minister of Canada and all the MPs, and a letter to the ten Premiers and all the MLAs of the ten provinces of Canada, asking them to put pressure on the federal government, so it may put the Bank of Canada at the service of the provinces, municipalities and all the Canadians. All the newspapers in Canada have also received a copy of this memorandum and this letter.

And now, we are sending the present letter to the 4,600 municipalities in Canada, asking them to add their voices to this pressure campaign, and to get the Bank of Canada to be put at the service of the Canadian population. If all the public bodies join forces, it will create a pressure powerful enough to force the federal government to act along these lines, and then all the public bodies will be at last freed from the purely financial problems.

We submit the model of a resolution to you, to be sent to the federal government, which resolution we ask you to kindly pass at the

.../3

next regular meeting of your Council. Once it has been passed, it would be good also to send a copy of this resolution to the various news media - newspapers, radio and TV stations - for immediate release. And we would be grateful if you could send us a copy of the resolution you passed.

We rely on your invaluable help to put the Bank of Canada at the service of the Canadians.

The Pilgrims of Saint Michael

Gilberte Côté-Mercier

Gilberte Côté-Mercier, directress general

Gérard Mercier

Gérard Mercier, assistant director general

Address to send your resolution:
The Right Honourable Brian Mulroney
Prime Minister of Canada
House of Commons
Ottawa, Ont.
K1A 0A6

Resolution

At the regular meeting of the Town Council of _____

Held on _____

Moved by _____

Seconded by _____

Be it resolved _____

THAT this council urges the federal government to take the necessary to get the Bank of Canada to create the requisite money to finance all the public works that are physically feasible and demanded by the population, these works being new wealth for our country.

THAT a copy of this resolution be sent to the Prime Minister of Canada as well as to the local MP, and communicated to the various news media - newspapers, radio and TV stations - for immediate release.

Signature _____

RECEIVED
OCT 16 1989
CITY CLERK

City of Orillia

BOX 340—ORILLIA, ONTARIO
L3V 6J1
(705) 325-1311

Fax (705) 325-5178

October 13, 1989

To the Councils of All Municipalities
in the Province of Ontario:

This is to advise you that the Council of the City of Orillia, at its meeting held on September 25, 1989 passed the following resolution:

"WHEREAS, despite his saying that "no jobs will be lost", Premier Peterson is making Bilingualism a mandatory qualification for an ever increasing number of Provincial Government jobs, causing non Francophone speaking Canadians to lose some jobs now and many job opportunities in the future;

AND WHEREAS, notwithstanding that this is an "undesignated area", citizens of Orillia and district are affected adversely by Bill 8, one example being an Orillia resident, working on contract for the Ministry of Government Services, who, being unable to speak French, cannot apply for the same job, now classified as permanent and bilingual;

AND WHEREAS we believe it is questionable whether The French Language Services Act (Bill 8) is constitutional because it forces English speaking people to learn a second language to qualify for government jobs;

AND WHEREAS City Council's efforts to hold taxes down may be offset by higher school board taxes, resulting from provincial language laws, and by the heavy tax burden arising out of Bill 8 and costly federal language laws;

AND WHEREAS the Bill 8 Language Law may increase unemployment, which Orillia can ill afford, and will cause distress for many of our citizens.

THEREFORE, as a legitimate expression of its concern for the well-being of the citizens of Orillia and its duty to speak out on their behalf, be it resolved that City Council declare its strong opposition to Bill 8 because of its enforced bilingualism, and be it also resolved that Council will send letters to Premier Peterson, to Allan McLean, M.P.P., to all municipalities of Ontario, and to the Association of Municipalities of Ontario supporting Orillia's citizens against language discrimination.

Our Council urge you to support its position and to express your views to the Province of Ontario and to the Association of Municipalities of Ontario.

Yours truly,

Ronald J. Ellett, A.M.C.T.,
Deputy Clerk.

PEGGY WESSELIUS
Clerk - Treasurer

7(c)

Municipality of

Tarbutt & Tarbutt Additional

R.R. #1 DESBARATS, ONT.
P0R 1E0
705-782-6776

RECEIVED
OCT - 3 1989
CITY CLERKS

September 6, 1989

Clerks,
Municipalities of Ontario

RE: MUNICIPAL SERVICES IN ENGLISH

Two resolutions and a by-law passed in open meeting by the Council of the Corporation of the Township of Tarbutt and Tarbutt Additional are attached for consideration by the Council of your municipality.

The question of "English Language Rights" in municipalities in Ontario, especially in Northern Ontario, are of particular interest to the Council of the Township of Tarbutt and Tarbutt Additional.

A copy of a petition presented to Council by a delegation of concerned ratepayers which prompted this action by Council is also enclosed for your perusal.

Please have your Council review these items and consider similar action to ensure the continued use of English as the official working language for Ontario municipalities.

The Council of the Corporation of Tarbutt and Tarbutt Additional would appreciate being notified of any action your Council takes in this matter.

Thank you.

Yours sincerely,

P. Wesselius

(Mrs.) Peggy Wesselius
Clerk-Treasurer

/pw

Enclosures

RESOLUTION FORM

TOWNSHIP OF TARBUTT AND TARBUTT ADD'L

Resolution No. 136-89 Date September 5, 1989 19

Moved by [signature]

Seconded by [signature]

THAT the Council of the Corporation of the Township of Tarbutt and Tarbutt Additional in the interests of maintaining goodwill, harmony and responsible fiscal management pass By-Law 16-89 to ensure the continued use of English as the official language in carrying out the programs and the work of the Corporation, thereby demonstrating the concept of equality for each ethnic, cultural and language group in its jurisdiction.

A.S

Certified to be a true copy of resolution

Peggy Wesselius

Clerk-Treasurer

RESOLUTION FORM

TOWNSHIP OF TARBUTT AND TARBUTT ADD'L

Resolution No. 137-89 Date September 5, 19 89

Moved by [signature]

Seconded by [signature]

THAT Council have copies of this resolution, resolution - 89 and By-Law 16-89 passed by the Council of the Township of Tarbutt and Tarbutt Additional on Tuesday, September 5, 1989, sent to all municipalities in Ontario with a request for similar action.

A.S

Certified to be a true copy of resolution

Peggy Wesselius

Clerk-Treasurer

THE CORPORATION OF THE TOWNSHIP OF TARBUTT AND TARBUTT ADDITIONAL

BY-LAW 16 - 89

BEING A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF TARBUTT AND TARBUTT ADDITIONAL CONCERNING THE SOLE USE OF ENGLISH AS THE OFFICIAL LANGUAGE IN CARRYING OUT THE PROGRAMS AND THE WORK OF THE CORPORATION OF THE TOWNSHIP OF TARBUTT AND TARBUTT ADDITIONAL.

WHEREAS the Municipal Council of the Corporation of the Township of Tarbutt and Tarbutt Additional recognizes that the Township is composed of many different ethnic groups, languages and cultures;

AND WHEREAS the Township has always shown respect for each of these cultures by providing preferential treatment for none;

AND WHEREAS the Township has had one common working language (which is English) for all of its services and oral and written communications;

AND WHEREAS the preferred common language of business, commerce, trade, science and normal everyday activities is English;

NOW THEREFORE in the interests of maintaining goodwill, harmony and responsible fiscal management THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TARBUTT AND TARBUTT ADDITIONAL ENACTS AS FOLLOWS:

1. THAT the English language be used as the official language of the Corporation in carrying out the programs and the work of the Corporation including:

(a) the provision of all services to and communication with the public and all levels of government by all the staff of the departments and agencies of the Corporation;

(b) the provision of public signs and any other form of public information material;

(c) the reply to any correspondence received regardless of the language of original enquiry; and

(d) the recruitment and staffing of personnel for the Corporation.

2. THAT this by-law shall come into force and take effect immediately upon the final passing thereof.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS FIFTH DAY OF SEPTEMBER 1989.

Allen Shackleton
Reeve

Peggy Wesselius
Clerk

I, Peggy Wesselius, Clerk-Treasurer of the Corporation of the Township of Tarbutt and Tarbutt Addtional, do hereby certify that the above is a true copy of By-Law 16-89, passed in open council meeting on Tuesday, September 5, 1989.

Peggy Wesselius
Clerk

WE THE UNDERSIGNED do hereby urge our elected reeve and councillors to pass the following resolution to prepare a policy for the Corporation of the Township of Tarbutt and Tarbutt Additional (hereafter called the Township).

AND WHEREAS the Township is composed of many different ethnic groups, languages and cultures;

AND WHEREAS the Township has always shown respect for each of these cultures by providing preferential treatment for none;

AND WHEREAS the Township has throughout its history had one common language (which is English) in carrying out the programmes and work of the municipality;

AND WHEREAS the preferred common language of commerce, business, trade, science and normal everyday activities is English;

NOW THEREFORE BE IT RESOLVED that the Corporation of the Township of Tarbutt and Tarbutt Additional in the interests of maintaining goodwill, harmony and responsible fiscal management establish a by-law to ensure the continued use of English as the official working language of communication with its citizens and all levels of government, thereby demonstrating the concept of equality for each ethnic, cultural and language group in its jurisdiction.

NAME (please print)	MAILING ADDRESS	SIGNATURE

This petition reached approximately 359 of the 659 eligible voters.

354 signatures were acquired which represents 53.7% of the total voting population.

CITY COUNCIL
HAMILTON, CANADA

Brian Hinkley
Alderman Ward 3

71 MAIN STREET WEST L8N 3T4 • (416) 526-2730 • RES. (416) 572-7500

8.

MEMO TO: Chairman and Members of the Legislation Committee

FROM: Brian Hinkley

DATE: September 25, 1989

SUBJECT: **1989 ASSOCIATION OF MUNICIPALITIES OF ONTARIO CONFERENCE AUGUST 20-23, TORONTO, ONTARIO**

As I was driving along the Q.E.W. to Toronto, my thoughts were not directed towards the A.M.O. Conference policy sessions. I was instead thinking of how relieved I felt knowing that I did not have reservations for the old Royal York Hotel.

The Royal York is a grand hotel with the stately charm of a by-gone era. In fact, everything about the hotel is clearly 19th century, everything except their prices.

The Sunday night opening reception was the usual wine and cheese get together.

The official opening on Monday morning featured the Mayor of Hamilton. This is to say the Mayor in 1899. The Honourable Mr. Justice J.V. Teetgel (deceased) brought greetings and recited proceedings of the first A.M.O. Conference which was held in Hamilton. The spoof was a bit confusing to the delegates. They didn't know if they should laugh or applaud. The confused crowd reacted with a mixture of both.

The A.M.O. Conference provides an important forum to express the collective expression of opinion of Ontario Municipalities. It also provides the opportunity to meet and discuss mutual problems individually in workshops, through policy debates or socially.

The newer councillors, especially from the smaller municipalities, I believe, gain considerably from this experience.

The low point of the conference was the address by Donald Blenkarn, M.P., Mississauga South (P.C.) He verbally chastised and admonished the delegates for their opposition to the Federal Government's new Goods and Services Tax. His address did not go over well with the delegates.

On the other end of the scale, the Honourable John Sweeney, the new Provincial Minister of Municipal Affairs and Housing gave one of the finest and most sincere speeches I have ever heard. Mr. Sweeney appears to be an honest, forthright, caring and sincere individual. I was truly impressed with this gentleman.

The conference itself seems to be getting tired. It is not so much the people or the issues at stake that is causing this lethargy. It is rather the sameness in format, location and routine. It is as though the conference has got itself into a rut.

I believe the A.M.O. Conference needs a new venue, some fresh blood and a spark. In short, the A.M.O. Conference needs a real good dose of Hamilton to liven it up and invigorate the proceedings.

I spoke on the floor of the conference and invited the delegates to hold a future conference in Hamilton. The idea was warmly received.

We have some logistical and accommodation situations to address. With these considerations in mind I would therefore recommend:

> "THAT CITY COUNCIL ESTABLISH A BID COMMITTEE TO ADDRESS THE NEEDS AND REQUIREMENTS NECESSARY TO HOLD A FUTURE A.M.O. CONFERENCE IN THE CITY OF HAMILTON; AND,
>
> TO PREPARE A PRESENTATION FOR CONSIDERATION TO THE CONFERENCE PLANNING COMMITTEE OF THE BOARD OF DIRECTORS OF A.M.O."

/rd

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk
119 King Street West, 15th floor
Hamilton, Ontario

526-4154

P.O. Box

9.

RECEIVED
OCT 10 1989
CITY CLERKS

Refer to File No.
Attention of
Your file No.

October 6, 1989

Mr. E. A. Simpson
Clerk
City of Hamilton
Hamilton City Hall

Dear Mr. Simpson:

Re: Legislation and Reception Committee
Report 10-89, Item 3
Voluntary Action Centre (CLE 89-073)

At the regular meeting of Regional Council held Tuesday, October 3, 1989, the following recommendation was concurred in:

a) That the letter from the Voluntary Action Centre of Hamilton and District be forwarded to the City of Hamilton for their information and consideration; and

b) That the Regional Chairman be authorized to forward a letter of support to the Voluntary Action Centre of Hamilton and District on behalf of the Region of Hamilton-Wentworth.

Should you have any questions, feel free to contact this office.

Yours truly,

M. A. Ballagher

David Beck
Clerk of Council

Attach.
DB/st

RECEIVED JUL 1 8 1989

2.3

July 13, 1989

Mr. Reginald Whynott,
Regional Chairperson,
Regional Municipality of Hamilton-Wentworth,
P.O. Box 910,
Hamilton, Ontario.
L8N 3V9

Dear Mr Whynott:

Let me begin by offering a belated thankyou for your attendance at the Volunteer Fair sponsored by the Voluntary Action Centre in March of this year. I am writing, to ask for some more help on behalf of the centre and the volunteer agencies which we serve in the community.

Simply, we are asking for your support in principle to put some teeth behind an idea- Hamilton: Volunteer Capital of Canada. It's a claim that's been made in the past, but there hasn't been a way of demonstrating it. The Voluntary Action Centre would like to change that by organizing, starting in the fall of 1990 a community challenge around volunteerism, similar to the Fit Day Activities. Needless to say, this would be a major undertaking, and an endorsement of the idea from your office would assist in convincing other organizations to get behind it.

Briefly, we hope that the concept could involve challenge compeitions among high school, local businesses, service organizations and community groups. Cable 14 will be approached to support the effort through programming to cover events and talk about volunteerism, as will the other area media. Agencies neededing volunteers will be asked to develop special volunteer ideas, that will help people who don't volunteer to sample briefly what it's like.

In conclusion, what we are asking right now is for a brief letter of endorsement of the idea, that could be used in making presentations to other organizations about the idea in the fall. If there are any questions, please have one of your staff call me at 529-4202.

Sincerely yours,

Peter Hutton
Publicity Consultant

PLH:me
PPCRCHAL.890 #2

VOLUNTARY ACTION CENTRE
of Hamilton & District
627 Main Street East, 2nd Floor, Hamilton, Ontario L8M 1J5 Telephone: 529-4202
A United Way Member Agency

CA4ONHBLH05
C51L2

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

MRS. J. MCANANAMA
C.E.O.
HAMILTON PUBLIC LIBRARY
CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 November 02

GOVERNMENT DOCUMENTS
8 1987

NOTICE OF MEETING

Legislation Committee
Monday, 1989 November 06
9:30 o'clock a.m.
Room 233, City Hall

John Thompson, Secretary
Legislation Committee

JT:mjw

AGENDA

A. DELEGATION

9:30 o'clock a.m. - ALDERMAN D. AGOSTINO
BY-LAW TO PROHIBIT THE SALE AND MANUFACTURE OF IMITATION FIREARMS IN THE CITY OF HAMILTON

1. CITY CLERK

Aldermanic Photo Business Cards

2. DEPUTY CITY CLERK

Account Transfer

3. MANAGER, LICENCING DIVISION

Increase in General Licence Fees for 1990

4. FARMERS' MARKET SUB-COMMITTEE

(a) Hamilton Farmers' Market Fees for 1990

(b) Amendment to Market By-law No. 81-180 to Clarify Definition of Stand

(c) Report of the Petition of Mr. Bill Komar
for a Market Stall (Information Only)

5. RESOLUTION - CITY OF STRATFORD

Proposed VIA Rail Service Cuts

6. ALLIES FOR ANIMAL RIGHTS

Request to meet with Legislation Committee to Discuss Passage of By-law to Prohibit Rodeos in the City of Hamilton

7. THE NURSING JOURNAL

Request to Purchase Advertising

8. CIVIC AWARDS

Leander Boat Club

9. NEW BUSINESS

10. ADJOURNMENT

CA4ON HBL A05
C51L2

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 November 02

URBAN MANITOBA

GOVERNMENT DOCUMENTS

NOTICE OF MEETING

Legislation Committee
Monday, 1989 November 06
9:30 o'clock a.m.
Room 233, City Hall

John Thompson, Secretary
Legislation Committee

JT:mjw

AGENDA

A. DELEGATION

9:30 o'clock a.m. - ALDERMAN D. AGOSTINO
BY-LAW TO PROHIBIT THE SALE AND MANUFACTURE
OF IMITATION FIREARMS IN THE CITY OF HAMILTON

1. CITY CLERK

Aldermanic Photo Business Cards

2. DEPUTY CITY CLERK

Account Transfer

3. MANAGER, LICENCING DIVISION

Increase in General Licence Fees for 1990

4. FARMERS' MARKET SUB-COMMITTEE

(a) Hamilton Farmers' Market Fees for 1990

(b) Amendment to Market By-law No. 81-180 to Clarify Definition of Stand

(c) Report of the Petition of Mr. Bill Komar
for a Market Stall (Information Only)

5. RESOLUTION - CITY OF STRATFORD

Proposed VIA Rail Service Cuts

6. ALLIES FOR ANIMAL RIGHTS

Request to meet with Legislation Committee to Discuss Passage of By-law to Prohibit Rodeos in the City of Hamilton

7. THE NURSING JOURNAL

Request to Purchase Advertising

8. CIVIC AWARDS

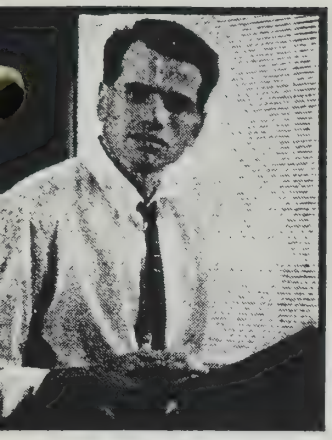
Leander Boat Club

9. NEW BUSINESS

10. ADJOURNMENT

OUTSTANDING ITEMS
LEGISLATION COMMITTEE

	ITEM	ORIGINAL DATE	ACTION	STATUS
1.	Policy for Special and Public Meetings	1989 January 23	Staff	Report to Follow
2.	Policy for Use of Council Chambers	1989 January 23	Staff	Report to Follow
3.	Police Report on Licencing Function	1989 January 23	Regional Police	Report Pending
4.	Street Vendors Permit South West Corner King and James Streets	1989 April 13	Manager, Licencing Division	Report Pending
5.	Gun Shop Operations	1989 June 19	Planning and Development Committee	Review Proceeding
6.	Licencing Tobacco Outlets	1989 June 19	Staff	Reports Pending
7.	Transient Flower Vendors	1989 June 19	Manager, Licencing Division	Report Pending
8.	Handbill Distributors	1989 June 19	Sub-Committee	Report Pending



Dominic Agostino

Alderman — Ward 5
Regional Councillor

City Hall, 71 Main Street West
Hamilton, Ontario L8N 3T4
Tel. 526-2733 • Res. 574-0179

A-

1989 October 27

Alderman V. Agro. Chairman.
Legislation Committee and
Committee Members

Dear Colleague:

Re: Banning the Sale and Manufacture of
Imitation Firearms in the City of Hamilton

As you may be aware on October 19. 1989. the City of Toronto passed a By-Law. "to prohibit the manufacture. display. marketing for sale or sale of a replica of a firearm".

I would like to propose that the Legislation Committee consider the passing of a similar By-Law for the City of Hamilton. The use of replica firearms which can be purchased in most toy stores. department stores and hobby shops is becoming a bigger problem every day in regards to the committing of crimes. This By-Law will not affect the purchase of plastic florescent water guns. There have been many incidents in the last few years where variety stores and gas stations have been held up with replica firearms. There have been incidents where Police Officers have been forced to shoot due to individuals pointing replica firearms at them.

Other Communities such as Windsor. North York. East York and Etobicoke are considering such a By-Law. In order for this to be effective. we need most municipalities in Ontario to pass By-Laws similar to Toronto to hopefully force the Provincial Government to pass a law which would cover the whole Province.

I would like to present this issue at the next meeting of the Legislation Committee. I will supply all of the information I have available to the Committee Members prior to that meeting.

I would be happy to discuss this issue further with you at your convenience. Please find attached a copy of the By-Law which the City of Toronto passed.

Sincerely,

Dominic

Dominic Agostino. Alderman.
Ward 5

DA:tb
Attch..1

No. 677-89. A BY-LAW

To prohibit the manufacture, display, marketing for sale or sale of a replica of a firearm in the City of Toronto.

(Passed October 19, 1989.)

Whereas the manufacture, display, marketing for sale and sale of replicas of firearms in the City of Toronto are activities having the potential to be harmful to the health, safety and welfare of the inhabitants of the City;

And whereas City Council, at its meeting of October 19, 1989, by adopting Clause No. 8 of Neighbourhoods Committee Report No. 16, authorized the passing of a by-law to prohibit the manufacture, display, marketing for sale or sale of a replica of a firearm in the City of Toronto;

The Council of The Corporation of the City of Toronto enacts as follows:

1. In this by-law,

(1) "firearm" means any barrelled weapon from which any shot, bullet or other missile can be discharged by means of rimfire or centre-fire ammunition and that is capable of causing serious bodily harm or death.

(2) "replica of a firearm" means a toy or other object that is not a firearm but might reasonably be mistaken for a firearm and, without restricting the generality of the foregoing, shall include compressed air and compressed carbon dioxide powered b-b and pellet guns.

2. Subject to section 3, no person shall manufacture, display, market for sale or sell a replica of a firearm in the City of Toronto.

3. This by-law shall not apply to the manufacture, display, marketing for sale or sale of a replica of a firearm for or in connection with lawful use in:

(1) motion picture, television, and stage productions; and

(2) historical displays or educational programmes of a public museum.

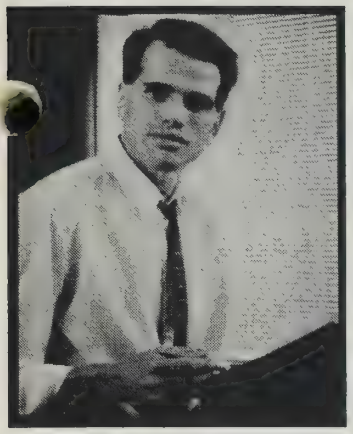
4. Every person who contravenes this by-law is guilty of an offence and, on summary conviction, is liable to a fine not exceeding $2,000.00.

5. This by-law shall come into force on January 1, 1990.

ARTHUR C. EGGLETON,
Mayor.

BARBARA G. CAPLAN
City Clerk.

Council Chamber,
Toronto, October 19, 1989.
(L.S.)



Dominic Agostino

Alderman — Ward 5
Regional Councillor

City Hall, 71 Main Street West
Hamilton, Ontario L8N 3T4
Tel. 526-2733 • Res. 574-0179

1989 November 1

Mr. J. Thompson, Secretary,
Legislation Committee

Dear Mr. Thompson:

Further to my memorandum of October 27. 1989. regarding banning the sale and manufacture of imitation fire arms in the City of Hamilton. I would respectfully request that the City's Legislation Committee consider the following motion.

"That the City Solicitor be authorized and directed to undertake the preparation of a draft By-Law to regulate and control the sale and manufacture of replica hand guns". and that this draft By-Law be considered at a Public Meeting of the Legislation Committee with submissions from the public being invited. Please find enclosed background material on this item and I would be pleased to elaborate at the meeting.

Sincerely,

Dominic Agostino, Alderman.
Ward 5

DA:tb

attchs.

c.c. Members, Legislation Committee

CITY OF TORONTO
DEPARTMENT OF THE
CITY CLERK

CLAUSE EMBODIED IN REPORT NO. 16 OF THE NEIGHBOURHOODS COMMITTEE WHICH WAS ADOPTED BY CITY COUNCIL AT ITS MEETING HELD ON OCTOBER 19 AND 20, 1989

8

AMENDMENT TO BY-LAW BANNING THE MANUFACTURE, DISPLAY, SALE AND DISTRIBUTION OF FIREARM REPLICAS

The Committee recommends the adoption of the report (September 26, 1989) from the City Solicitor.

The Committee submits the report (September 26, 1989) from the City Solicitor:

Origin: Council Meetings May 4 and 5, 1989 and July 13 and 14, 1989 (c06nhc89209:134)

Comments: At its meeting of May 4 and 5, 1989, City Council considered my report (January 3, 1989) and instructed me to report on the form of a draft by-law to prohibit any person from manufacturing, displaying, marketing for sale, distributing or selling a replica or facsimile firearm.

At its meeting of July 13 and 14, 1989, City Council considered my reports (May 17, 1989 and July 7, 1989), and authorized the introduction in Council of the necessary bill to pass a by-law in the form attached to my report of July 7, 1989.

For the two reasons discussed below, I have not yet submitted a bill to Council. I am now submitting this further report for your Committee's consideration.

First, having regard to the position of local merchants and others who will be affected by the by-law, it is my opinion that the by-law should not come into effect until such persons have been given notice of its passing and have had the opportunity to arrange their affairs in anticipation of its coming into effect.

I therefore recommend an additional section in the draft by-law to provide that the by-law shall not come into force until January 1, 1990. Assuming that the by-law is passed by City Council at its meeting of October 19, 1989, this will allow for a notice period of approximately two months prior to its coming into force.

Second, I have received a communication dated August 9, 1989, from the Deputy Director of the Toronto Historical Board requesting an exemption from the by-law for the use of firearm replicas in displays and education programmes of the Board.

I note that the use of replicas by a museum is preferable for reasons of safety, inasmuch as the theft or misuse of a replica is to be preferred to that of a real firearm.

In my opinion, the draft by-law as approved by City Council, should be further amended to extend the existing exemption for motion picture, television and stage productions to the historical displays and educational programmes of public museums.

I have prepared and attached to this report a revised draft by-law incorporating the two amendments recommended above.

In order to meet the time schedule for passing, publication of notice and coming into effect of the by-law, this matter should go before Council no later than its meeting of October 19, 1989.

Recommendations.

1. That, if your Committee is so advised, a by-law in or substantially in the form attached to the report (September 26, 1989) of the City Solicitor be passed;
2. That authorization be granted for the introduction of the necessary bill in Council;
3. That Council's approval given at its meeting of July 13 and 14, 1989 of the draft by-law attached to the report (July 7, 1989) of the City Solicitor and its authorization for the introduction of the necessary bill be rescinded; and
4. That the appropriate City officials be authorized to take the necessary steps to publish notice of the by-law immediately following its passing by City Council.

—

Draft By-Law

To prohibit the manufacture, display, marketing for sale or sale of a replica of a firearm in the City of Toronto.

(Passed , 1989.)

Whereas the manufacture, display, marketing for sale and sale of replicas of firearms in the City of Toronto are activities having the potential to be harmful to the health, safety and welfare of the inhabitants of the City;

And whereas City Council, at its meeting of ——————-, 1989, by adopting Clause —- of Neighbourhoods Committee Report No. —-, authorized the passing of a by-law to prohibit the manufacture, display, marketing for sale or sale of a replica of a firearm in the City of Toronto;

The Council of The Corporation of the City of Toronto enacts as follows:

1. In this by-law,
   (1) "firearm" means any barrelled weapon from which any shot, bullett or other missile can be discharged by means of rimfire or centre-fire ammunition and that is capable of causing serious bodily harm or death.
   (2) "replica of a firearm" means a toy or other object that is not a firearm but might reasonably be mistaken for a firearm and, without restricting the generality of the foregoing, shall include compressed air and compressed carbon dioxide powered b-b and pellet guns.
2. Subject to section 3, no person shall manufacture, display, market for sale or sell a replica of a firearm in the City of Toronto.
3. This by-law shall not apply to the manufacture, display, marketing for sale or sale of a replica of a firearm for or in connection with lawful use in:
   (1) motion picture, television, and stage productions; and
   (2) historical displays or educational programmes of a public museum.
4. Every person who contravenes this by-law is guilty of an offence and, on summary conviction, is liable to a fine not exceeding $2,000.00.
5. This by-law shall come into force on January 1, 1990.

The Committee also resubmits Clause 17 of its Report No. 12, entitled "Draft By-law Banning the Manufacture, Display, Sale and Distribution of Firearm Replicas", which was amended and adopted by City Council at its meeting held on July 13 and 14, 1989:

(Council Action - July 13 and 14, 1989)

Council amended this Clause by adding at the end thereof the following:

"It is also recommended that the draft by-law attached to the report (July 7, 1989) from the City Solicitor be approved, and that authority be granted for the introduction of the necessary Bill in Council to give effect thereto."

During consideration of this Clause, Council also had before it a report (July 7, 1989) from the City Solicitor, and a communication (July 10, 1989) from D.H. Rogers, of Osler, Hoskin and Harcourt, Barristers and Solicitors, P.O. Box 50, First Canadian Place, Toronto, M5X 1B8.

(Report dated July 7, 1989, from the City Solicitor)

Origin: Neighbourhoods Committee Meeting June 22, 1989 (c06cncl89219:75)

Comments: On July 13, 1989, City Council will consider Clause 17 of Neighbourhoods Committee Report No. 12 on a draft by-law to amend the manufacture, display, sale and distribution of firearm replicas. The Neighbourhoods Committee requested me to report directly to Council on an amendment to the draft by-law attached to my report (May 17, 1989) which would permit the entertainment industry to continue using replica firearms.

I have prepared an amended draft by-law, in which section 3 contains the requested amendment to exempt the theatrical productions.

Recommendation: If Council wishes, it could approve the draft by-law attached hereto and authorize the introduction of the necessary bill in Council.

DRAFT BY-LAW

No. A BY-LAW

To prohibit the manufacture, display, marketing for sale or sale of a replica of a firearm in the City of Toronto.

(Passed , 1989.)

Whereas the manufacture, display, marketing for sale and sale of replicas of firearms in the City of Toronto are activities having the potential to be harmful to the health, safety and welfare of the inhabitants of the City;

And whereas City Council, at its meeting of , 1989, by adopting Clause of Neighbourhoods Committee Report No. , authorized the passing of a by-law to prohibit the manufacture, display, marketing for sale or sale of a replica of a firearm in the City of Toronto;

The Council of The Corporation of the City of Toronto enacts as follows:

1. *In this by-law,*

   1. *"firearm" means any barrelled weapon from which any shot, bullet or other missile can be discharged by means of rimfire or centre-fire ammunition and that is capable of causing serious bodily harm or death.*

2. *"replica of a firearm" means a toy or other object that is not a firearm but might reasonably be mistaken for a firearm and, without restricting the generality of the foregoing, shall include compressed air and compressed carbon dioxide powered b-b and pellet guns.*

2. *Subject to section 3, no person shall manufacture, display, market for sale or sell a replica of a firearm in the City of Toronto.*

3. *This by-law shall not apply to the manufacture, display, marketing for sale or sale of a replica of a firearm for or in connection with lawful use in motion picture, television and stage productions.*

4. *Every person who contravenes this by-law is guilty of an offence and, on summary conviction, is liable to a fine not exceeding $2,000.00, exclusive of costs.*

(Communication dated July 10, 1989, from D.H. Rogers, Osler, Hoskin and Harcourt)

We act for Crosman Canada Inc. and Coleman Company Inc., companies involved in the manufacture and sale of air guns. I understand that council will be considering a by-law for the prohibition of the manufacture, display, distribution or sale of a replica or facsimile firearm at its meeting on Thursday, July 13, 1989. Such a by-law has obvious and potentially very serious adverse consequences to our clients.

Crosman was not given notice of the proposed by-law and the matter has only recently come to their attention. Accordingly, they were not represented when the matter was considered in committee.

I understand that council will not hear deputations at its meeting on July 13, 1989, and we are therefore writing on behalf of our clients to request that the matter be referred back to committee so that representations can be made concerning the serious adverse consequences which could result from passing such a by-law. Further, we have serious reservations about the jurisdiction of council to enact such a by-law and would like an opportunity to make representations concerning the legality of such an enactment.

We, therefore, respectfully request that council refer this matter back to committee so that representations can be made by interested persons. Should you require any additional information, please do not hesitate to contact me.

The Committee recommends the adoption of the report (May 17, 1989) from the City Solicitor and requested the City Solicitor to report, directly to Council, on a suggested amendment to the Draft By-law which would allow the entertainment industry to continue using replica firearms.

The following persons addressed the Committee:

- *Ray Ackerman, Post Box 310, Adelaide Street Postal Station, Toronto, M5C 2J4*
- *Mr. Shapiro, 14 Stansead Drive, Downsview, M3H 4V6*
- *Jackie Field, 79 Woodycrest Avenue, Toronto, M4J 3B1*
- *Ken Coontz, Kenya Films, 14 Langley Avenue, Toronto, M4K 1B5*
- *Brooke Bell, 54 Eastbourne Avenue, Toronto, M5P 2G2*
- *Councillor Jakobek*

The Committee submits the report (May 17, 1989) from the City Solicitor:

Subject: Banning the manufacture, display, sale and distribution of firearm replicas

Origin: Council Meeting May 4 and 5, 1989 (c06nhc89205:75)

Comments: At its meeting of May 4 and 5, 1989, City Council considered my report (January 3, 1989) and instructed me to report on the form of a draft by-law to prohibit any person from manufacturing, displaying, marketing for sale, distributing or selling a replica or facsimile firearm.

I have attached hereto as Schedule "A" the draft by-law prepared in accordance with your instructions. As this by-law, if passed, would affect the rights of some persons residing or carrying on business within the City, it is my view that an opportunity should be given for deputants to be heard. I am advised by the Acting Administrator of your Committee that notices could be distributed to interested parties and deputations could be heard at the next meeting, if that is the wish of the Committee.

For the information of your Committee and City Council, I would advise that, if, having heard the deputants and considered this matter, your Committee wishes to recommend that a by-law in or substantially in the form attached be passed, I would, for the reasons explained in my previous report, only be able to certify the bill as to form.

Recommendation:

1) That, if your Committee is so advised, a by-law in or substantially in the form attached to the report (May 17, 1989) of the City Solicitor be passed; and

2) That authorization be granted for the introduction of the necessary bill in Council.

Schedule "A"

Bill No.

No. A BY-LAW

To prohibit the manufacture, display, marketing for sale or sale of a replica of a firearm in the City of Toronto.

(Passed , 1989.)

Whereas the manufacture, display, marketing for sale and sale of replicas of firearms in the City of Toronto are activities having the potential to be harmful to the health, safety and welfare of the inhabitants of the City;

And whereas City Council, at its meeting of , 1989, by adopting Clause of Neighbourhoods Committee Report No. , authorized the passing of a by-law to prohibit the manufacture, display, marketing for sale or sale of a replica of a firearm in the City of Toronto;

The Council of The Corporation of the City of Toronto enacts as follows:

1. In this by-law,

   1. "firearm" means any barrelled weapon from which any shot, bullet or other missile can be discharged by means of rimfire or centre-fire ammunition and that is capable of causing serious bodily harm or death.

   2. "replica of a firearm" means a toy or other object that is not a firearm but might reasonably be mistaken for a firearm and, without restricting the generality of the foregoing, shall include compressed air and compressed carbon dioxide powered b-b and pellet guns.

2. No person shall manufacture, display, market for sale or sell a replica of a firearm in the City of Toronto.

3. Every person who contravenes this by-law is guilty of an offence and, on summary conviction, is liable to a fine not exceeding $2,000.00, exclusive of costs.

The Committee also submits the communication (June 20, 1989) from Chris Walroth, President, The Algonquin Section USITT, Post Box 310, Adelaide Street Postal Station, Toronto, M5C 2J4:

I am writing to you on behalf of the Algonquin Section of USITT. We as an organization wish to express our concerns about the draft by-law to ban replica firearms currently under consideration by your committee.

The Algonquin Section USITT represents the interests of production and technical personal as well as educators working in the live performing arts industry. Our area of operation includes all of southern Ontario and our main core of members work in the Metropolitan Toronto Area. We provide to our membership and the industry at large a medium for exchange of information between disciplines. We also provide a method for working with legislators to make provision for our industry's needs in existing or pending legislation. Our emphasis as an organization has always been to consider the Health and Safety of our membership and the public at large above all other considerations.

In discussion with some of our membership who have had experience with the use of real and replica weapons in stage presentations we have concluded that the by-law to prohibit replica firearms as presented to your committee, in draft form, by the City Solicitor will present some problems and hazards to our membership. The main points of which are outlined below.

An increase of firearms in circulation.

Some special effects persons working in the film television and live industry are currently licensed to use, or supervise the use of, real weapons. This is due at least in part to the close up nature of these media.

We who produce for the live arts tend to be able to substitute replica weapons for real ones in most cases. An outright ban on replica firearms would restrict our options to only using real weapons. The increase in demand for real firearms would multiply the number of real weapons and weapons handlers within our industry.

We believe the very existence of these extra weapons presents a further risk to the health and safety of the community at large.

In our discussion with our industry experts based on your committee's previous report to City Council we find ourselves in full support of all the arguments raised for the need to strictly control or ban outright replica firearms. We would welcome a strict control of these replicas but believe we cannot support a total ban without suffering serious and possibly harmful repercussions within our industry. In order that a practical and workable solution be achieved that will satisfy both the needs of this committee industry and society at large, we offer the following recommendations:

A by-law be drafted to enforce control of replica weapons including restrictions on sale and possession. We believe the by-law should include provision for:

i) Personal License

A personal license for anyone to be allowed access to a replica as an owner or supervisor. License requirements could include as a preliminary vetting procedure the possession of a valid Firearms Acquisition Certificate.

We also feel that the applicant should be able to show legitimate cause for acquisition of a replica and a demonstration of knowledge of safe handling practices of blank firing replicas and firearms in general would be a worthwhile requirement.

ii) Site Licenses

A site license for any public and or private place that will contain a replica weapon. Requirements for obtaining the site license should include locked gun cabinets in secure areas. Access restricted to licenses persons only. The established presence of a licensed supervisor ie. an employee or the owner in the case of a private dwelling.

A review of licenses on a regular basis and a requirement to demonstrate legitimate need for the licence or its renewal should also be considered.

In conclusion we would also like to offer the services of our organization for any further study, and or assistance in the implementation of replica weapon restrictions. We are in communication with representatives of the Film and Television Industries on this issue. The preliminary response from these groups has been general agreement with our recommendations however they all have expressed a desire to study the matter further before making public comment.

The Committee also resubmits Clause 13 of Neighbourhoods Committee Report No. 8, entitled "Banning the Manufacture, Display, Sale and Distribution of Firearm Replicas", which was adopted by City Council at its meeting held on May 4 and 5, 1989:

The Committee recommends that:

1. **The Minister of Justice be urged to give special consideration to Recommendation No. 18 on page 23 of Section C of the report entitled "Reports, Recommendations and Information concerning Changes to the Criminal Code of Canada, Part II.1", which proposes:**

   that consideration be given to strictly controlling or banning outright of true form replica firearms. In this regard, it is respectfully suggested that a thorough study of the problem be undertaken.

2. **That the Provincial Government be advised that City Council supports Private Member's Bill 145, "An Act to Prohibit the Sale of Gun Replicas", being put forward by Mike Farnan, M.P.P.**

3. **The City Solicitor be requested to report on the form of a draft By-law to prohibit any person from manufacturing, displaying, marketing for sale, distributing or selling a replica or facsimile of a firearm.**

The Committee submits the report (January 3, 1989) from the City Solicitor:

Origin: City Council meeting of July 11 and 15, 1988 (c06nhc89001:75)

Introduction

At its meeting of July 11 and 15, 1988, City Council had before it a motion from Councillor Jakobek respecting issues relating to firearm replicas and the danger they may represent to public safety. Council requested the City Solicitor to report to the Neighbourhoods Committee on a draft by-law to prohibit a person from manufacturing, displaying, marketing for sale, distributing or selling a replica or facsimile of a firearm.

Scope of the Prohibition

The proposed prohibition would cover a broad range of products and a number of activities.

The phrase "replica or facsimile of a firearm" would include any object which was not an actual, operating firearm but could be mistaken for one. The by-law would cover everything from elaborate, expensive, highly authentic replicas to cheap, plastic toy guns which can also look exceedingly realistic, especially in low light conditions. The long list of objects falling under the description "replica or facsimile of a firearm" would include: inoperative facsimiles of various qualities, authenticity and price (some of which are marketed to serious collectors, the film industry as props and the police and military as training tools, while others are marketed to children); "cap" guns; "B.B." or pellet guns (which use compressed air or carbon dioxide to propel the projectile); paint pellet guns (used in outdoor "war" games, popular with some adults, as well as youths); starter pistols; and water guns.

The motion proposes a by-law that would prohibit several different activities relating to replicas: their manufacture, distribution, sale and marketing. Manufacture is not an issue in Canada in the case of the highly authentic, expensive replicas. I am advised that they are imported from abroad, mainly from Europe and the Far East. The other, less expensive replicas, such as plastic toys, are

sometimes manufactured in Canada. All of these replicas are currently sold publicly and lawfully in Toronto. Even if a by-law could be validly enacted, these replicas would continue to be sold outside the City and could legally be brought into the City by collectors and others.

Federal Initiatives

At its meeting of April 19, 1988, City Council adopted the motion made by Alderman Boytchuk to request the Federal government to enact several amendments to Criminal Code provisions on gun control. A document entitled Reports, Recommendations and Information Concerning Changes to the Criminal Code of Canada, Part II.1, prepared by a member of the Metropolitan Toronto Police Force, was also before Council for its information at that time. The report presented a wide range of recommendations on gun control. Although the specific motion before Council did not address the issue of replica firearms, I wish to draw to your attention Recommendation No. 18 on page 23 of Section C, which proposed:

> That consideration be given to strictly controlling or banning outright of true form replica firearms. In this regard, it is respectfully suggested that a thorough study of the problem be undertaken.

Such an amendment to the Criminal Code would supplement an already existing provision on the use of "imitation guns":

> s.85 Everyone who carries or has in his possession a weapon or imitation thereof, for a purpose dangerous to the public peace or for the purpose of committing an offence, is guilty of an indictable offence and is liable to imprisonment for ten years.

There are other Code provisions which could relate to replicas in certain circumstances.

The Minister of Justice has advised City Council by letter that he will consider not only the request by City Council for legislative amendments but also the full range of recommendations made in the report by the Metropolitan Toronto Police Force.

Legal Issues

The two legal issues are:

i) Does the City have the power to prohibit the manufacture, display, marketing, distribution and sale of replicas under existing legislation?; and

ii) If not, can the City obtain special legislation from the Province of Ontario to provide it with the power?

Existing Legislation

Neither the Municipal Act nor any other statute gives the City specific, express authority to prohibit the manufacture, display, marketing, distribution or sale of replica firearms.

I have also considered whether any general statutory provisions could reasonably be intrepreted as giving the City the authority to prohibit these activities. Section 104 of the Municipal Act permits a municipal council to

> pass such by-laws and make such regulations for the health, safety, morality and welfare of the inhabitants of the municipality in matters not specifically provided for by this Act as may be deemed expedient and are not contrary to law....

In my view, there is doubt as to whether this section can be relied upon as legal authority for the passage of the proposed by-law. There are problems insofar as the proposal is for a prohibition and the subject matter is closely related to existing Criminal Code provisions, as discussed above.

I have also considered whether the prohibition might be enacted by way of a zoning by-law. As the purpose of a zoning by-law is to regulate the use of land and it would be difficult to distinguish the manufacture, display, marketing, distribution or sale of replica firearms from general manufacturing or retail uses on planning grounds, it is my opinion that a zoning by-law could not be used to implement the proposed prohibition.

Special Legislation

At present, there is no statute under which the provincial government attempts to prohibit or regulate replica firearms. In the absence of any provincial activity in this field and any clear existing legislative authority for the City to prohibit the manufacture, display, marketing, distribution or sale of replica firearms, I have also considered whether special legislation could be obtained. I would not recommend an application to the Legislature for special legislation for two reasons.

First, as I mentioned above, the subject matter of such legislation would be very closely related to existing Criminal Code provisions on the misuse of replica firearms. These new prohibitions might better be enacted nationwide by appropriate amendments to the Criminal Code.

Second, in spite of the possible conflict with federal jurisdiction, a private member's bill on this subject has been introduced in the Legislature. The provincial government would probably not wish to deal with an application from a municipality until it decides whether it wishes to pass the private member's bill which, if passed, would treat replica and toy firearms in the manner described below.

Private Member's Bill

A private member's bill has been introduced in the Ontario Legislature. Under the bill, if passed, the Minister of Consumer and Commercial Relations would issue certificates of approval for the sale of toy guns which would not be reasonably mistaken for real guns. The sale of toy guns and replicas which could be mistaken for real ones would be prohibited. The explanatory note to Bill 145 reads as follows:

> The purpose of the Bill is to prohibit the sale of replicas of guns that might reasonably be mistaken for real guns in the commission of a crime.

If the provincial government does pass the bill, then it would not wish to grant special legislation permitting the City to enact a by-law on the same subject. If it does not pass the bill, then that would indicate it does not wish to have replica firearms prohibited. The bill received second reading and was referred to the Standing Committee on the Administration of Justice several months ago, but has not yet been placed on the Committee's agenda. I do not, therefore, recommend an application for special legislation.

Conclusion: There is no specific provision in the Municipal Act or any other statute empowering City Council to pass a by-law prohibiting the manufacture, display, marketing, distribution or sale of a replica or facsimile of a firearm. A by-law might be passed under section 104 of the Municipal Act, a general provision for by-laws and regulations "for the health, safety, morality and welfare of the inhabitants of the municipality". However, the validity of such a by-law could be in doubt for the reasons discussed above.

Moreover, even if the validity of such a by-law were certain, it would only apply in the City and would not prevent replica firearms from being purchased elsewhere and transported into and kept in the City.

The manufacture, display, marketing, distribution and sale of replica firearms and their possession can be effectively prohibited in the City and throughout the country by amendments to the Criminal Code.

Recommendations:

If City Council wishes to pursue the matter of replica firearms, it could either:

1. request the City Solicitor to report on the form of a draft by-law to prohibit any person from manufacturing, displaying, marketing for sale, distributing or selling a replica or facsimile of a firearm; or
2. urge the Minister of Justice to give special consideration to Recommendation No. 18 on page 23 of Section C of the report entitled "Reports, Recommendations and Information Concerning Changes to the Criminal Code of Canada, Part II.1", which proposes

that consideration be given to strictly controlling or banning outright of true form replica firearms. In this regard, it is respectfully suggested that a thorough study of the problem be undertaken.

The Committee also submits the communication (October 25, 1988) from Mike Farnan, MPP for Cambridge, addressed to the City Councils of the Municipalities of Ontario:

I am writing to draw your attention to my Private Member's Bill, the Gun Replica Sale Prohibition Act 1988 (Bill 145) and to ask for your support.

You are probably familiar with the tragic shooting death of a Brantford man last fall after he threatened a police officer with a Colt .357 Magnum replica. Indeed, you may have had similar incidents in your own communities.

The coroner's jury later recommended that the sale of gun replicas be banned in Ontario.

A few days after the recommendation was made, Ontario's Attorney General Ian Scott told reporters that he would consider banning gun replicas.

However, there was no further response from the majority Liberal Government.

On May 30, I introduced the enclosed legislation that would ban the sale of imitation firearms that might be mistaken for the real thing.

The Bill received second reading and has been sent to the Justice Committee for further study and recommendations.

I am enclosing a copy of the speech I made in the Ontario Legislature. I would be pleased to receive any suggestions you might wish to make that you feel would improve the proposed legislation.

I would be pleased if your Council could lend its support to this Bill by petitioning the Justice Committee to recommend the approval of Bill 145 to the Legislature of Ontario. You can do this by having a motion passed by your Council and forwarded to:

The Clerk of the Legislative Assembly
Attention: Justice Committee
Legislative Building, Queen's Park
Toronto, Ont. M7A 1A2

I would appreciate receiving copies of any correspondence sent to the Justice Committee and also any information that you may have that would assist in developing the case for banning the sale of replica guns.

Your support for this legislation would be much appreciated. I want to thank you for your consideration of this request and I look forward to hearing from you.

(Copy of Hansard Official Report of Debates containing comments made in the Ontario Legislature by Mike Farnan, MPP Cambridge on Gun Replica Sale Prohibition, is on file in the City Clerk's Department.)

The Committee also submits the communication (July 29, 1988) from the Secretary, Executive Committee:

On July 27, 1988, the Executive Committee again had before it the communication (April 12, 1988) from the City of Cambridge forwarding for endorsement a resolution passed by Cambridge City Council petitioning the provincial government to enact enabling legislation to allow municipalities to regulate and/or prohibit the sale of toy guns which are replicas of real weapons.

The Executive Committee also had before it a communication (July 5, 1988) from the Metropolitan Toronto Police advising of their support of the resolution of the City of Cambridge.

The Executive Committee noted that City Council at its meeting on July 15, 1988, referred to the City Solicitor for report to the Neighbourhoods Committee a motion by Councillor Jakobek requesting the City Solicitor to draft a by-law that would prohibit a person from manufacturing, displaying, market for sale, distribute, or sell a replica or facsimile of a firearm.

In view of the foregoing, the Executive Committee referred the resolution of the City of Cambridge, together with the communication from the Metropolitan Toronto Police, to the Neighbourhoods Committee for consideration at such time as the City Solicitor has reported on the motion of Councillor Jakobek.

(Attached communication (July 25, 1988) from R.D. Fleming, Staff Superintendent, Operational Planning, Metropolitan Toronto Police)

I am directed by the Chief of Police to respond to your letter of May 11th, 1988 which contained the Executive Committee's endorsement of a resolution originally passed by Cambridge City Council pertaining to the sale of replica weapons.

The Chief of Police fully supports Resolution no. 179 of the Cambridge City Council.

I wish to point out that a similar recommendation was proposed by this Force in a publication entitled "Reports, Recommendations and Information Concerning Changes to the Criminal Code of Canada, Part II.1". Recommendation No. 18 on page 23 of Section C of the above report reads as follows:

> "That consideration be given to strictly controlling or banning outright of true form replica firearms. In this regard, it is respectfully suggested that a thorough study of the problem be undertaken."

Copies of our Reports and Recommendations have been forwarded to the Federal Department of Justice and Mr. R.V. Henderson, City Clerk for the City of Toronto.

I trust you will find this information both useful and supportive to our common concerns of improving firearms legislation and ensuring the safest possible environment for the citizens of this community.

(Attached communication (April 5, 1988) from the Council/Committee Co-ordinator, The Corporation of the City of Cambridge addressed to the Ministry of Municipal Affairs)

Cambridge City Council, initially considered this issue at their General Committee meeting of April 5, 1988; and the following Resolution was made at the Council meeting of April 11, 1988.

#179 Moved by Alderman Nagge Seconded by Alderman Kent

That we petition the Province of Ontario to enact enabling legislation to allow municipalities to regulate and/or prohibit the sale of toy guns which are replicas of real weapons;

And that this Resolution be forwarded to the area Members of Provincial Parliament, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, all Municipalities with populations over 50,000, and the Federal Member of Parliament.

Carried

Thank you for your attention to the request contained in this Resolution. If you require further information, please contact me at (519) 623-1340, Extension 232.

The Committee also submits the communication (July 19, 1988) from the City Clerk, addressed to the City Solicitor:

At its meeting on July 11 and 15, 1988, City Council referred the following motion of Councillor Jakobek, respecting replica firearms, to the City Solicitor for report to the Neighbourhoods Committee.

> "Whereas the sale and possession of replica firearms has proliferated in recent years in this community; and

Whereas such replica firearms cannot be distinguished from actual firearms; and

Whereas such replica firearms are perceived as actual firearms, fear and dangerous defensive actions result; and

Whereas the public safety is endangered by the manufacture and sale of replica firearms; and

Whereas there is no law to prohibit the brandishing of such replica firearms:

Therefore be it resolved that City Council request the City Solicitor to draft a by-law that would prohibit a person from manufacturing, displaying, marketing for sale, distributing, or selling a replica or facsimile of a firearm".

Copies of the Report entitled "Reports, Recommendations and Information concerning changes to the Criminal Code of Canada, Part II.1. have been forwarded to Members of Council under separate cover.

Respectfully submitted,

KAY GARDNER,
Chair.

COMMITTEE ROOM,
Toronto, September 28, 1989.

Document 95L1-8
for 0051 NHC Clerk/Steno 1 CLK NHC COMM. phone 7039 *** 10/18/89 ***

FOR ACTION

REPORT TO: Mr. J. D. Thompson
Secretary, Legislation Committee

FROM: Mr. E. A. Simpson
City Clerk

DATE: 1989 November 1
COMM FILE:
DEPT FILE:

SUBJECT: Aldermanic Photo Business Cards

RECOMMENDATION:

That an order be placed with Rath Photographics for the printing of 16,000 photo business cards for the Aldermen to contain photographs selected by the Aldermen at an estimated cost of $1,300. including all applicable taxes and that each individual order placed by the Aldermen contain appropriate quantities of each of the seven photographs available.

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

Approximately four years ago the Legislation Committee approved photo business cards for the members of City Council who wished to order them. At that time, seven (7) different scenes were chosen and a total of 16,000 cards were printed and kept in stock by the supplier. As the Alderman ordered photo business cards for themselves, the reverse side of the cards were printed with the Alderman's name and pertinent information in the quantities requested. We have now almost exhausted the initial supply of 16,000 cards.

For your information the plate from which the cards are printed contains a total of 16 photographic images which means there are varying quantities of each of the seven (7) photographs on the plate. This results in the 16.000 cards breaking down as follows.

1.	City Hall	4,000
2.	Daytime aerial view of Hamilton	3,000
3.	Nighttime aerial view of Hamilton	2,000
4.	Canadian Football Hall of Fame	3,000
5.	Dundurn Castle	1,000
6.	Hamilton Place	1,000
7.	Hamilton Scourge	2,000

Photographs 1 - 4 are the most popular ones ordered by the Alderman which leaves the printer holding quantities of the other 3 photographs which no one wants to order. There are 2 alternatives to address this problem and I have recommended the first one which is most economical:

1. Ensure that each order placed contains the appropriate quantities of each of the seven (7) photographs,

   or

2. Purchase a new photographic plate containing only the four (4) most popular photographs at an additional cost of $1,400.

The 16,000 cards suggested for reordering will last approximately 3 to 4 years and this is the minimum number that is economical both for the City and the supplier.

SGH/mc

FOR ACTION

2.

REPORT TO: Mr. J. D. Thompson
Secretary, Legislation Committee

FROM: Mr. K. E. Avery
Deputy City Clerk

DATE: 1989 October 25
COMM FILE:
DEPT FILE:

SUBJECT: Account Transfer

RECOMMENDATION:

That the amount of $2,000. be transferred from account CH 56001-12001 (Office Supplies) to account CH 58001-12001 (Office Equipment) to permit the purchase of 3 lateral file cabinets.

SGH/mc

3.

FOR ACTION

REPORT TO: Mr. John Thompson, Secretary
Legislation Committee

FROM: S. J. Dembe, Manager
Licence Division

DATE: 1989 October 24
COMM FILE:
DEPT FILE:

SUBJECT: 1990 Licence Fees

RECOMMENDATION:

(a) That the general licence fees be increased by 5 percent for 1990.

(b) That Licence By-laws 76-32 (Body Rub Parlours, 79-144 (Adult Entertainment Parlours) and 79-323 (Callings and Occupations, excluding Taxicab Owners, and Livery Vehicle Owners of Schedule 4) respecting various licence fees be amended accordingly.

(c) That the City Solicitor be authorized and directed to submit the amending by-law directly to City Council.

S. J. Dembe, Manager
Licence Division

FINANCIAL IMPLICATIONS (IF NONE, STATE N/A)

The increase will generate an additional $13,000 in revenue (approximate)

BACKGROUND

It has been the policy of City Council to increase general licence fees annually based on the cost of inflation. The City Treasurer advises that a 5% increase is appropriate for 1990. It should be noted that with the recent review of the taxicab and livery industries, 1990 licence fees have already been authorized and, therefore, not included herein. These fee increases will result in approximately $159,000 additional revenue, which is largely attributed to the issuance of new taxi plates from the Priority List and fees for maintaining the Priority List. Licence Fees for Second Level Lodging Houses have also not been included as there is a proposal before the Finance Committee respecting a charge back from the Regional Municipality of Hamilton-Wentworth for public health inspection. Consideration is being given to recovering 50% of the charge back from lodging houses through a licence fee increase which, if approved, would be greater than the 5% recommended herein.

Members of the Committee are reminded that certain licence fees cannot be increased because these fees are set out in the Municipal Act.

SJD/hm
c.c. Stella Glover, Secretary, Licensing Committee

FOR ACTION

4(a)

REPORT TO: Mr. J. Thompson, Secretary
Legislation Committee

FROM: Mrs. S. Glover, Secretary
Farmers' Market Sub-Committee

DATE: 1989 October 31
COMM FILE:
DEPT FILE:

SUBJECT: **Hamilton Farmers' Market Fees for 1990**

RECOMMENDATION:

(a) That the Hamilton Farmers' Market fees be increased by (4%) four per cent as per Schedule "B" attached.

(b) That the City Solicitor be directed to prepare an amendment to By-law 81-180 to reflect this increase.

Stella Glover

Stella Glover, Secretary

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

The recommended increase is in keeping with inflationary rates for 1990.

cc: Alderman F. Lombardo, Chairman
Farmers' Market Sub-Committee

Mrs. S. Miller, Manager
Hamilton Farmers' Market

Schedule "B"

To

By-law No. 87-

SCHEDULE "B"

(Section 7)

PART 1: PRODUCERS AND DEALERS" FEES

Stand Number	Location	Amount of Producers' and Dealers Fees	
		Per Month	Per Day
1 to 8	(Refrigeration Units)	$ 250.00	$ N/A
12 to 18	(Refrigeration Units)	250.00	N/A
22	(Refrigeration Units)	250.00	N/A
9, 10, 11	(Refrigeration Units)	209.00	N/A
19, 20, 21	(Refrigeration Units)	209.00	N/A
23 to 46	Ramp	146.00	23.00
47 to 62a	North Wall - Main Floor	146.00	23.00
63 to 70	West Wall - Main Floor	146.00	23.00
71 to 95	South Wall - Main Floor & In ramp	146.00	23.00
96 to 100	Loading Docks (from 7:30 a.m. - 4:00p.m.	146.00	23.00
101 to 111	East Wall - Main Floor	146.00	23.00
112 to 143	Stands in Middle (North Side) from east to west	146.00	23.00
144 to 175	Stands in Middle (South Side) from west to east	146.00	23.00
30a, 36a, 37a, 46a		77.00	11.00
70a, 72a		62.00	11.00
92		205.00	23.00
176	Coffee Shop Stand	291.00	N/A

FOR ACTION

4(b)

REPORT TO: Mr. J. Thompson, Secretary
Legislation Committee

FROM: Mrs. S. Glover, Secretary
Farmers' Market Sub-Committee

DATE: 1989 October 31
COMM FILE:
DEPT FILE:

SUBJECT: **Market By-law 81-180, Section 1(m)**
"Interpretation of Stand

RECOMMENDATION:

(a) That the City Solicitor be directed to amend Section 1(m) of Market By-law 81-180 to clearly define the meaning of "Stand" to reflect either the rental of a Refrigeration Unit (8' or 12') eight foot or twelve foot on the mezzanine or floor space (various sizes) on both levels of the Market, instead of that designated.

(b) That the amendment in (a) be accompanied with a revised mezzanine floor plan in the By-law.

Stella Glover

Stella Glover, Secretary

FINANCIAL IMPLICATIONS: *(IF NONE, STATE N/A)*

N/A

BACKGROUND:

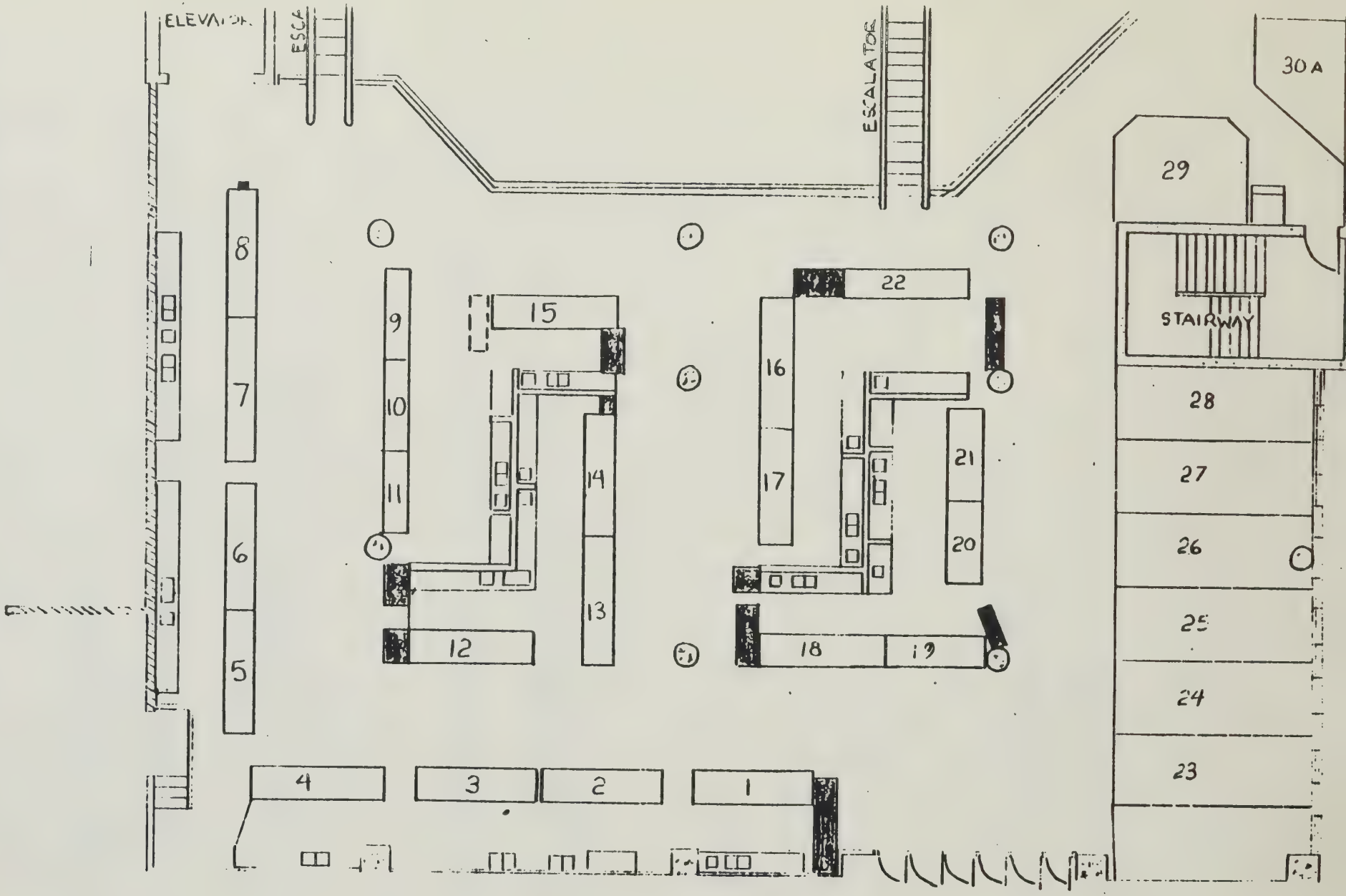
Currently the By-law reads as follows:

> "stand means the area of the Market assigned to a stallholder for the sale of his produce and food and includes one specific area of the Market assigned for a coffee shop.

This interpretation has caused much confusion amongst stallholders, particularly on the mezzanine level, as Refrigeration units only are being rented by stallholders, rather than floor area, which is the situation basically on the ramp and lower levels.

cc: Alderman F. Lombardo, Chairman
Farmers' Market Sub-Committee

Mrs. S. Miller, Manager
Hamilton Farmers' Market



■ - ADDITIONAL INSTALLATIONS

▭ - PROPOSED INSTALLATIONS

MARKET MEZZANINE

FOR INFORMATION

4(c)

REPORT TO: Mr. J. Thompson, Secretary
Legislation Committee

FROM: Mrs. S. Glover, Secretary
Hamilton Farmers' Market Sub-Committee

DATE: 1989 October 31
COMM FILE:
DEPT FILE:

SUBJECT: **Petition of Mr. Bill Komar**
Requesting Stall at Hamilton Farmers' Market

BACKGROUND:

The petition regarding Mr. Bill Komar was dealt with by the Hamilton Farmers' Market Sub-Committee at their meetings of October 12 and 31, 1989.

Attached for the information of members of the Legislation Committee is a copy of a report from the Market Manager together with the Farmers' Market Sub-Committee's response to Mr. Komar.

Stella Glover

SG/jc

cc: Alderman F. Lombardo, Chairman
Farmers' Market Sub-Committee

Mrs. S. Miller, Manager
Hamilton Farmers' Market

MEMORANDUM • CITY OF HAMILTON

TO : All Members
Hamilton Farmers' Market
Sub-Committee

YOUR FILE:

FROM : Mrs. Stephanie Miller
Market Manager

OUR FILE :

SUBJECT : Mr. William Komar
Former Stallholder, Stand No. 96
Hamilton Farmers' Market

DATE : October 24, 1989

As requested at our last meeting of the Market Sub-Committee (October 17, 1989), please find the following information pertinent to Mr. Komer's business operation in the Hamilton Farmers' market.

For approximately three (3) years (effective date 1983) prior to the issuance of a permanent yearly Market Stand Contract, Mr. Komar conducted business on a daily basis at stand no. 96 (see attached layout exhibit i).

At that time, it was my clear understanding, and that of the Regional Health Department, that Mr. Komar's business in the designated loading dock area was temporary, as a permanent arrangement could not be accommodated in this particular area.

In March of 1984, Mr. Komar was then issued a contract (see exhibit ii) for Stand No.96, which allowed him permanent use of the stand in question. While operating his fresh fish business during this time, Mr. Komar was ill equipped and as a result did not comply with Regional Health Standards and various sections of Market By-Law 81-180. The requirements for such a business in the Market are as follows (see exhibit iii):

i) two compartment sink for cleaning and sanitizing

ii) proper drainage

iii) proper refrigeration unit

Due to financial problems, Mr. Komar then mutually agreed to terminate his contract as at December 31, 1985, (see exhibit iv) and arranged to utilize Stand No. 96 on a daily basis. He continued to use the stand occasionally for approximately two (2) years and preference was always given to him for Stand No. 96 whenever he wished to sell his catch.

Further complications arose during this time, and I felt it was in the Markets' best interest to terminate his daily privileges.

Continued . . .

MEMORANDUM • CITY OF HAMILTON

TO : All Members
Hamilton Farmers' Market
Sub-Committee

YOUR FILE:

FROM : Mrs. Stephanie Miller

OUR FILE :

SUBJECT : Mr. William Komar

DATE :

For your clarification, this matter has been reviewed by the City Solicitor's Department, and no further problems are anticipated.

S. Miller

c.c. Mr. Keith Avery
Deputy City Clerk

Mrs. Stella Glover
Secretary, Market Sub-Committee

Ms. Lean Lawrence
City Solicitor's Department

Att:

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 October 31

Mr. Bill Komar
R.R. #5
Dunnville, Ontario
N1A 2W4

Dear Mr. Komar:

Please be advised that the Hamilton Farmers' Market Sub-Committee, at their meeting of October 31, 1989, made the following recommendation:

That Mr. Bill Komar be advised as follows:

1. That there is no suitable stall available at the present time at the Hamilton Farmers' Market which will comply with both the Market By-laws 81-180 and the Hamilton-Wentworth Regional Health Standards.

2. That Mr. Komar has been placed on a waiting list for consideration when a suitable stand becomes available and will be advised accordingly.

Yours truly

Stephanie Miller
Manager
Hamilton Farmers' Market

SG/jc

cc: Alderman F. Lombardo, Chairman
Hamilton Farmers' Market Sub-Committee

CORPORATION OF THE CITY OF STRATFORD
CITY HALL, P.O. BOX 818, STRATFORD, ONTARIO N5A 6W1 (519) 271-0250

5.

RECEIVED
OCT 27 1989
CITY CLERKS

Festive Stratford
Share Our Seasons

October 20th, 1989.

LETTER TO: All Canadian Cities

RE: Proposed VIA rail service cuts.

Dear Sir/Madam:

Stratford City Council, in session on October 10th, 1989, by a unanimous vote, adopted the attached resolution regarding the Federal Government's proposed cuts in VIA rail service.

Would you please present this resolution to your municipal council for its consideration and if endorsed, please advise the Federation of Canadian Municipalities and your local Federal Member of Parliament and the undersigned of same.

Yours truly,

R. Schulthies

Ronald Schulthies,
City Clerk-Administrator.

Whereas Canada's population is distributed in a fashion where relatively densely populated areas are separated by vast distances, and,

Whereas various modes of transportation including roads, air travel, shipping and rail travel have historically each been major factors in maintaining the one-ness of Canadian Identity, and

Whereas each of these modes of travel have historically been subsidized by the Federal Government either in the form of operating subsidies or by capital construction subsidies, and

Whereas the Federal Government has recently decided to slash the passenger rail system to a fraction of its former self, and

Whereas this decision will place greater burdens and further needs for subsidy onto the other transportation systems, and

Whereas concern for the environment has become the number one priority of Canadians, and

Whereas rail travel on an existing system of track is the most environmentally benign and efficient way to move large numbers of people.

Therefore be it resolved that the Government of Canada be urged to commission a study aimed at developing a National Transportation Policy that would encourage a mix of all transportation modes (roads, air, rail and water) in a fashion that maximizes:

a) energy efficiency
b) environmental compatibility
c) user acceptance
d) access by all Canadians

And be it also resolved that pending the outcome of the study and its implementation, the government be urged to make no cuts in the existing VIA rail service;

And be it further resolved that this resolution be circulated to all Canadian cities for their consideration, and that it be forwarded to the Federation of Canadian Municipalities.

Adopted by Stratford City Council on October 10, 1989.

Dave Hunt - Mayor

R. Schulthies - Clerk

6.

Corporation of the City of Han

Memorandum

TO: Chairman and Members
Legislation Committee

YOUR FILE:

FROM: John Thompson, Secretary
Legislation Committee

OUR FILE:
PHONE: 526-2729

SUBJECT: ALLIES FOR ANIMAL RIGHTS

DATE: 1989 November 2

Attached is a copy of a letter from Ms. Liz Crozier-Organ,Co-ordinator, Allies For Animal Rights dated 1989 October 18 requesting once again an opportunity to meet with the Legislation Committee to discuss the possibility of City Council passing a by-law to prohibit rodeo events in the City of Hamilton.

By way of explanation, I would advise that the Legislation Committee at its meeting held 1989 February 06 had before it a similar request from the Allies For Animal Rights. At that time, the Committee resolved that in light of the reports received from the City Solicitor's Office and the Manager, H.S.P.C.A. (copies attached), the recommendation of Allies For Animal Rights for the passage of a by-law banning rodeo events in the City of Hamilton be received with no further action.

I am also attaching a copy of a report prepared by Allies For Animal Rights dated 1989 October 04 detailing rodeo cruelty.

John Thompson

JT:mjw

Attachments

Allies For Animal Rights

RECEIVED
OCT 20 1989
CITY CLERKS

October 18, 1989

City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attention: Mr. John Thompson, Secretary
Legislation Committee

Dear Mr. Thompson:

Further to my letter of October 4, 1989, and our telephone conversation of October 16, 1989, please accept this letter as Allies for Animals Rights' formal written request to appear before the Legislation Committee to discuss the matter of passing a by-law to prohibit rodeo in Hamilton.

We request that we be informed of the date set for this public hearing at least three weeks in advance of such a hearing as we will wish to attend to make presentations. I look forward to hearing from you in the very near future. I can be contacted at my home address: 12B Matilda St. N., Dundas, Ont. L9H 2Y8.

Yours truly,

Liz Crozier-Organ
Co-ordinator

cc: Mayor Robert M. Morrow

29 Summerdale Pl., Ancaster, Ontario L9G 4A5 Tel: 648-0621 627-0919

JAN 13 1989

Corporation of the City of Hamilton

Memorandum

****

TO: Chairman and Members
Legislation Committee
Mr. J. D. Thompson
Secretary, Legislation Committee

YOUR FILE:

FROM: Philip R. A. Hooker
City Solicitor

OUR FILE:130-37/89.

SUBJECT: Rodeos - Allies for Animal Rights

DATE: 1989 January 13

In reply to Mr. Thompson's inquiry memo of January 9th, 1989 on the captioned subject, respecting the December 22nd, 1988 letter from Allies for Animal Rights to Mayor R. Morrow, a copy of which letter is attached, in our opinion the municipality already does have legislative power to pass a by-law prohibiting the holding of rodeo events within its boundaries.

This is because section 160 of the Regional Municipality of Hamilton-Wentworth Act permits local councils to pass by-laws that a board of police commissioners is authorized to pass under the Municipal Act and because section 232, paragraph 7 of the latter Act allows a board of police commissioners to pass by-laws:

"For prohibiting or regulating and licensing ...menageries, circus-riding, and other like shows usually exhibited by showmen..."

This extract gives a municipality the option of either prohibiting such events on the one hand or licensing and regulating them on the other hand. In either case, the municipality must do so by a by-law.

In our opinion, the phrase, "circus-riding, and other like shows usually exhibited by showmen" clearly includes rodeo-type shows.

If the City decides to prohibit the holding of rodeo events, while still permitting circus events, the by-law would have to so indicate quite clearly, especially in the definitions it uses.

Schedule 15 of City of Hamilton Licensing By-law 79-323, as amended by By-law 81-234, currently provides for licences and licence fees for:

Section 6.-2 "Exhibitions for which admission is charged in other than a licensed theatre or a licensed public halls,

(b) of performing horses, ponies or dogs...

(c) of a menagerie or trained animal show, circus riding, wild west show or other like show usually exhibited by showmen, or a carnival...and...side show or other entertainment connected with or associated with each show mentioned in this clause..."

Accordingly, should your Committee recommend, and Council decide to adopt, the decision to prohibit rodeos or wild west shows or "stampedes" (however described) amendments to By-law 79-323 will be necessary.

Philip R.A. Hooker

Philip R.A. Hooker
for K. A. Rouff
City Solicitor

PRAH:dc
encl.

c.c. Ms. Lian Lawrence,
Solicitor

c.c. Mr. S. Dembe,
Licence Manager

Apartment Guest
by Hunter
Douglas
LDH 1F-2

JAN 24 1989

THE HAMILTON

SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

FROM: Cam Stableford
General Manager
Hamilton SPCA

SUBJECT: Rodeos

DATE: January 19, 1989

ATTENTION: John Thompson, Secretary,
Legislative Committee
City of Hamilton

cc. Alderman Terry Cooke

I am responding herewith to your enquiry of January 9, 1989 with respect to the possibility of a By Law prohibiting the conduct of Rodeo events within the City of Hamilton. I have also reviewed the letter of December 22, 1988 submitted to the attention of Mayor Morrow from Allies for Animal Rights.

Two Rodeos have been held in Hamilton in recent years at Copps Coliseum. Both events were attended by our Inspector, Mr. Carl Bandow. At these events we witnessed the following:-

- use of an electric prod around the anus of steers
- use of an electric prod around the eyes of a bull
- the kicking of calves and steers around the head and generally rough treatment of animals being moved to chutes
- minor breaches of Ontario Rodeo Association Rules

On the occasion of these observations, the rodeo owner operator was spoken to, and these situations were temporarily remedied.

We find the letter from Allies for Animal Rights to be largely accurate of the circumstances of the Rodeo environment and the treatment of animals at these events.

I would strongly support the passage of a By Law in the City of Hamilton which would prohibit the conduct of such events. To this end, The City of Hamilton already has a By Law disallowing the Keeping of various classes of animals in the City of Hamilton. Although I am not aware of any law in Canada preventing the conduct of Rodeos, this By Law might be extended to specifically address the prohibition of Rodeo, or similar events which are seen to be inappropriate in terms of the treatment or use of animals, subject to the guidance of the City Solicitor.

Attached for your further information is a copy of a submission of record to the Legislation Committee of January 13, 1987 which

658 Parkdale Ave. North, Hamilton, Ontario L8H 5Z4 • (416) 547-1257

clearly enunciates our position on Rodeos and our opposition thereto.

I trust these remarks will be helpful to the Legislation Committee.



"we speak for those who cannot speak for themselves"

"CELEBRATING 100 YEARS OF HUMANE SERVICE"
APRIL 1987

President
Dr. Ron Barr

Board of Directors
Dr. Larry Belbeck
Dr. Dudley Collins
Alderman Terry Cooke
Mrs. Doreen Dustan
Dr. Jon Francis
Mr. A.K. German
Mr. Lorne Haist
Mr. John Hedden
Mr. Grant Howell, Q.C.
Mr. Sid Sandler
Mrs. Barbara Watson
Miss Edna Whitbread
Miss Betty White

GUIDELINES FOR RODEO IN HAMILTON

1. That a large animal Veterinarian be in attendance for all performances and events at the expense of the rodeo operator or City of Hamilton.

2. That Humane Society Officials be allowed free access to all areas where animals are used (chutes, etc.), kept, and housed.

3. That Humane Society Officials be given full co-operation from rodeo operators, employees, and participants.

4. The Humane Society receives a complete schedule of events and performances approximately 1 (one) week before rodeo dates, and a copy of the rules and description of events used by that particular rodeo association.

5. That animals for all events be inspected by the attending Veterinarian before the draw and no sore, lame, sick or injured animals or animals with defective eyesight be permitted in the draw at any time. Should any animal become sick or be injured between the time it is drawn and the time it is scheduled to be used in competition, that animal not be used in competition and another animal be drawn for the contestant.

6. That the attending Veterinarian examine, treat or recommend the disposal of any animal injured at any time. When destruction is recommended, it shall be carried out as soon as possible, under the supervision of the Veterinarian.

7. That the placing of fingers in the eyes, lips, or nose on any animal is forbidden.

8. That no animal be beaten, mutilated, or cruelly prodded at any time.

9. That a pen, corral, or truck bed be prepared to receive injured animals removed from the arena with an adequate bed of straw or other appropriate bedding laid down for their comfort.

HAMILTON SPCA

the hamilton society for the prevention of cruelty to animals
headquarters & shelter – 658 parkdale avenue north, hamilton, ontario L8H 5Z4 — phone 547-1257
founded april 1, 1887.

10. That chutes, corrals, and alleyways be so constructed as to prevent injury to stock, and the arena shall be free to rocks, holes, and obstacles.

11. That contestants be disqualified from competing at that rodeo for any deliberate mistreatment of stock and that contestants are fully aware of sections 400 and 402 in the Criminal Code of Canada pertaining to cruelty to animals.

PREPARED BY

CARL BANDOW
INSPECTOR

Allies For Animal Rights

October 4, 1989

His Honour Mayor Robert M. Morrow
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

FOR INFORMATION ONLY

Dear Mayor Morrow:

In December of 1988, Allies for Animal Rights contacted your office with information on rodeo cruelty to animals and a request for a by-law banning rodeo performances in Hamilton.

After hearing from the City Solicitor and the Hamilton S.P.C.A., the Legislation Committee decided to take no action on our request.

Enclosed is a report we have prepared for your information detailing rodeo cruelty and requesting, again, that City Council seriously consider passing a by-law banning rodeo performances in Hamilton.

Yours truly,

Liz Crozier-Organ
Co-ordinator

P.S. I can be contacted at my home address: 12B Matilda St. N., Dundas, Ontario, L9H 2Y8, phone 627-0919

cc: John Thompson, Secretary
Legislation Committee

Alderman Tom Murray
Hamilton Entertainment Convention Facilities Inc. Board

Cam Stableford, Manager
Hamilton S.P.C.A.

DISTRIBUTED TO THE MEMBERS OF THE LEGISLATION COMMITTEE ON FRIDAY, 1989 OCTOBER 06

29 Summerdale Pl., Ancaster, Ontario L9G 4A5 Tel: 648-0621 627-0919

ALLIES FOR ANIMAL RIGHTS

MISSION STATEMENT...

There is an intimate correlation between the quality of life available consistently to all members of a culture and its treatment of non-human species. Life has not evolved an extraordinary variety of life forms in order for them to be extinguished or exploited by one species intoxicated with its power. Wherever the exploitation or abuse of non-human species exists, the demand for change exists. Allies for Animal Rights (AFAR) was formed in March, 1988, as a volunteer, non-profit organization to combat, through the use of non-violent, non-destructive means, the exploitation and abuse of non-human species by humans and to promote a way of life that gives equal consideration to human and non-human interests and rights.

Formed as a non-profit group of volunteers, AFAR members strive for cruelty-free, non-exploitive lifestyles. Animal products or products that involve animal suffering are avoided to every degree possible. As members strive for a cruelty-free lifestyle, AFAR will offer full support and help members develop their knowledge of animal rights issues. Knowledge, self-awareness and a committed spirit are the strivings of all members.

AFAR's primary method for change is through education: lectures, public meetings, public relation events, press agency, protest marches and demonstrations and other such peaceful, non-violent methods that may be appropriate to raise awareness among the general public, gather support for new legislation, seek behaviour changes on the part of individuals, corporations, research facilities or governments, whether at home or in other countries. AFAR will network with and lend support to other groups likewise engaged, provided that their methods are non-violent.

AFAR adheres to the basic principle of non-violence which states that humane goals cannot be reached with inhumane methods. Non-violence is a method of resolving, or being involved with, conflict without damage to living beings and the physical environment.

AFAR is totally and unequivocally opposed to the use or threat of violence. Violent action is considered by AFAR to be any action which causes physical harm to any living being or such action against the physical and biological environment which would discredit AFAR and the animal rights movement in general. Violent acts betray every principle of animal rights philosophy, which places compassion above all else, and such acts must be condemned as unethical and counterproductive.

AFAR requires true commitment from its members to take action -- beliefs or feelings without action achieve nothing. It is expected that various commitments will be made by AFAR's varied membership according to the availability and capability for each individual member. No individual member of AFAR will be expected to become involved in any activity which makes that member feel uncomfortable.

The eventual enshrinement of animal rights, where animals receive equal treatment and consideration along side humans, is the long term goal of AFAR. That no species be exploited or used to serve the interests of another species, that no species is superior in law or in fact to any other, and that it is generally recognized that mutual interests are interdependent between all species, are goals and recognitions accepted by all AFAR members.

ALLIES FOR ANIMAL RIGHTS

REPORT ON RODEOS

Submitted to the Mayor and Council of the City of Hamilton

October, 1989

Compiled by Liz Crozier-Organ, Co-ordinator

TABLE OF CONTENTS:

Page

Section I: Introduction 1

Section II: Excerpts from Professional Sources

A. General Comments. 3

B. Bareback Riding 7

C. Bull Riding 8

D. The Flank Strap 9

E. The Electric Prod 11

F. Calf Roping 12

G. Steer Busting. 15

H. Team Roping 17

I. Steer Wrestling 17

J. Treatment of Rodeo "Stock". 18

K. Proposed Legislation. 21

Section III: Request for By-Law 25

Section IV: Sources. 28

Section V: Appendix of Attachments. 29

SECTION I: INTRODUCTION:

The following report contains information from a variety of animal protection groups on the abuse of rodeo animals and proposed legislation. Its purpose is to familiarize the reader with the variety of abuse suffered by rodeo animals and to call for legislative action on the part of the Municipality of Hamilton.

All humane organizations and animal rights groups are against rodeos. This is for the sake of ourselves, our children and our society in general, as well as for the sake of rodeo animals. Taking part in rodeo events, whether as a participant or as a spectator, greatly diminishes our humanity.

We teach children to be kind to animals -- that it is not fun, sport, or entertaining to abuse or neglect animals. To manufacture justification for doing so simply to make a profit is unconscionable.

Rodeos teach that animal cruelty is entertaining and profitable. It's promoters justify it as "heritage", but it's from the dark side of history. Today's rodeo events reflect very little of the old west ranching practices. What pride can one take in a history that is built on the harassment, torture and abuse of animals?

Today, rodeos are presented as spectacles of brave cowboys demonstrating their skill and courage, but they are actually spectacles of cruelty, suffering and violence inflicted on captive animals by modern day rodeo competitors. They are neither accurate nor harmless portrayals of ranching skills.

Confined in chutes, out of the public eye, animals are hurt and terrorized in order to make them appear "wild", so that rodeo competitors can appear "brave". All kinds of methods are used, including fists, pointed boots, spurs, painful tail twisting, flank straps and electric prods.

There are no "accidents" in rodeos. The violence intrinsic to rodeo predetermines that there will be injuries and/or death. The animals have no choice in this detour to the slaughterhouse. They are at the mercy of their exploiters and of those responsible for what is permitted in their community.

The defence that rodeo is a national or western heritage reveals a cynical disregard of what is worthy of perpetuation in a civilized society. The defence that rodeo is a family activity is a sham. Anyone who truly values children would never consider exposing them to this kind of callous mistreatment of animals. There are many wholesome alternative activities in any community to which families can bring their children.

The defence that the care of the expensive, privately owned horses used in equestrian events is representative of the care and value given to rodeo animals obtained from stock contractors is deceptive and deceitful. Rodeo promoters do not tell the public about the events in which the stock animals are brutalized or about the countless hours that animals suffer in practice sessions and transportation.

We have outlawed bull-baiting, bull-fighting, dog-fighting and cock-fighting. Why do we continue to tolerate the presence of this form of vicious animal abuse? What prevents us from outlawing this cruel and violent assault of humans on captive animals?

Allies for Animal Rights speaks for rodeo animals and for hundreds of caring people in asking the City of Hamilton to ban rodeo performances.

(Taken in part from a report on rodeo addressed to the Ventura County Supervisors written by Maurine Gordon of the California Vegetarian Association)

SECTION II: EXCERPTS FROM PROFESSIONAL SOURCES

A. GENERAL COMMENTS:

The Hamilton S.P.C.A.'s Policy Regarding Rodeos:

The Hamilton S.P.C.A. is a member of the Canadian Federation of Humane Societies (C.F.H.S.) and recognizes and supports the policy statements of the federation regarding rodeos. C.F.H.S. is opposed in principle to rodeo and is working towards the ultimate abolition of this activity. The Federation will actively pursue every means in its power to reduce and end suffering of animals used in rodeo events by opposing further proliferation of rodeos and rodeo events into regions where they are presently not held and/or not a tradition.

The Hamilton Area does not have a tradition of holding rodeos. We do not have a "wild west" mentality in our region that requires an exhibition of animal exploitation to take place. (underlining AFAR)

Popular rodeo events feature roping, tripping, dragging, and wrestling animals to the ground or tying ropes or straps around bulls' and horses' sensitive abdominal regions, then using electric cattle prods to shock them into giving exciting performances. Most rodeo audiences think that these events are good, clean family entertainment. They fail to see the injury, pain, torture, fear or harassment being inflicted upon the participating animals.

The Hamilton S.P.C.A. opposes a rodeo being held in the city.

The Toronto Humane Society:

Rodeos and Stampedes, July, 1989

Virtually all humane societies are opposed to rodeos and stampedes. It is considered to be a cruel, violent and inhumane "sport". It contravenes the Criminal Code. (underlining AFAR)

The Humanitarian Concerns About Rodeo Events, 1989

... the "1 per cent" injury ratio that has been cited as characteristic of rodeo events translates into hundreds of injured animals when one considers the volume of animals utilized by rodeos each year. As well there is the unmeasured and unseen number of animals sacrificed during the practice efforts when contenders perfect their skills.

The Alberta S.P.C.A.

News Release, June 24, 1988

The Alberta S.P.C.A. condemns the violent and hazardous nature of rodeo and chuckwagon racing. Such events as calf roping result in harassment and possibility of pain, injury, or death. They encourage insensitivity and callousness toward animals, particularly among younger people.

"Modern chuckwagon racing has no place in a civilized community and rodeo is a relic of the past." (Joy Ripley, Alberta SPCA President)

The Canadian Wild Horse Society:

Cayuse Conserver Newsletter (Summer, 1989)

In most cases where humans and animals work together there are elements of communication and cooperation -- they work as a team. However, in rodeo events, humans and animals meet for the most part in open conflict in which both run grave risks of injury and even death.

Such spectacles in no way represent today's accepted livestock handling practices, and they have a desensitizing effect on both adults and children, spectators and participants. Far from being educational, they only foster the idea that rodeo animals can be a source of amusement or cheap thrills.

Rodeo events send out a clear signal. In the pursuit of human competition the welfare of animals takes a back seat.

Expose on Rodeo Cruelty to Animals

Before the animals used in rodeos are forced into the chutes from which they enter the arena they can be seen standing quietly in the pens or corrals. They are not wild; they are domesticated. When the rodeo ends, the music stops and crowd leaves, thinking it has had a glimpse of Western life, the animals, back in their pens are still suffering. There are broken bones, raw and bleeding wounds, splintered or broken horns. There is pain and shock. Some of the animals are still trembling hours later. Others are down and unable to rise.

Rodeos are neither entertainment nor sport. They are exhibitions of suffering inflicted on animals.

Rodeo animals are used in a potentially lucrative form of sponsored entertainment where the market forces of the working ranch simply don't apply. The value of the animals to rodeo promoters is in the manner in which they "perform", not in the value of their meat or hides.

The World Society for the Protection of Animals:

A common claim by rodeo promoters is that the cruelty inflicted upon these animals is representative of accepted livestock handling practices. Nothing could be further from the truth. The spectacle of rodeos and our nostalgic fascination with the "Old West" forces these animals to pay a heavy and unnecessary penalty for human entertainment.

The Humane Society of the United States:

A New Assault on Rodeo, 1983:

The HSUS has opposed rodeos since the Society's founding in 1954 "because the way in which they are conducted today inevitably results in injury, pain torture, fear, or harassment being inflicted upon the participating animals. Exposure of children to the atmosphere of violence in rodeos ... almost surely teaches them tolerance of inhumane treatment of animals in the name of competition."

Special Report on Rodeos, September, 1973:

HSUS believes that no animal should be subjected to pain or injury for pleasure and profit. These animals, like man himself, are sensitive, feeling creatures. Man has no right to exploit and abuse them. Yet, in many rodeo events such practices take place day after day throughout the nation.

HSUS Director Robert F. Welborn in a statement to the Colorado State Board of Agriculture in June 1973:

"The truth of the matter is that most of the animals, whether they be bucking horses or calves or steers being roped, are subjected to pain practically every time they are used. This pain may be transitory or it may be the result of an internal injury that will continue. In addition to pain, the animals are subjected to constant fear and torment."

Information Flier:

Though a horse may seem a hero to the crowd for its ill-temper and wild-eyed stare as it flings itself around the ring, what they are really seeing is a terrified, tormented animal making money for its rider, its owner, and the rodeo sponsor, while living in misery itself.

The Humane Society of the United States and The American Humane Association Joint Rodeo Policy Statement, 1982:

The Humane Society of the United States and the American Humane Association are opposed to rodeos because they result in torment, harassment and stress being inflicted upon the participating animals and expose rodeo stock to the probability of pain, injury, or death. We denounce this type of unnecessary exploitation and the use of devices such as electric prods, sharpened sticks, spurs, flank straps and other rodeo tack which cause animals to react violently. We find these abuses cannot be justified.

We have determined that professionally sanctioned rodeos often ignore the established guidelines intended to prevent cruelty. Furthermore, we have determined that abuse and suffering occur during non-sanctioned or amateur competitions and especially when animals are used repetitively for practice. Therefore, we believe that a program of official humane supervision cannot effectively prevent the cruelties inherent in rodeo.

The HSUS and the AHA contend that rodeos are not an accurate or harmless portrayal of ranching skills; rather they display and encourage an insensitivity to and acceptance of brutal treatment of animals in the name of sport. Such callous disregard of our moral obligations toward other living creatures has a negative impact on society as a whole and on impressionable children in particular.

B. BAREBACK RIDING

The Toronto Humane Society:

The Humanitarian Concerns About Rodeo Events, 1989:

Bucking is not a normal activity for a horse. It is a manifestation of fear, stress or pain.

The rider's spurs are also employed (besides the buck strap) to induce bucking. On each jump the rider tries to spur the animal, raking the animal's body from high on the shoulders down in a curve toward the forward rigging.

Irritating products (Asorbine Jr., ginger mixed with red pepper) inserted into anal or vaginal cavities or rubbed onto the sensitive tissue under the tail, electric prods (hot shots), blows to the body from bats or boards, stimulating drugs such M-99 ("elephant juice") and the shouting of the crowd all may legally or illegally serve to induce bucking.

Other drugs that may be used as stimulants for the horse include aromatic spirits of ammonia, turpentine, cantharides (Spanish Fly, used as a skin irritant), chloroform, nux vomica (contains strychnine) and sweet spirits of nitrate.

Whiskey, heroin, cocaine, nitrate of glycerine and powdered caffeine may also be employed, as many other drugs to calm the horse down after an event.

Hydrochloride and apomorphine instill aggressiveness in a horse.

The constant, jarring force upon the hooves and leg bones from bucking cause a potential for damage to those areas ....

Bucking horses who are particularly "good" at bucking may be used even after they have become quite old. There is a record of a horse being used at 30 years of age, an age corresponding to 140 years in a human. (This) proves the callous approach to livestock by people only concerned about performance. The reaction to pain knows no age barriers.

C. BULL RIDING

The Toronto Humane Society:

The Humanitarian Concerns about Rodeo Events, 1989.

There is also a flank strap applied to the bull. Bulls without the flank strap do not buck adequately.

The rider's spurs have fixed rowels, and are used to help the rider remain seated by digging into the skin of the animal.

... electric prods, or hot shots, may be applied prior to the bucking event.

The Humane Society of the United States:

Information Flier

While the bull is confined in the chute, he is often repeatedly shocked with an electric cattle prod. The violent reaction of the animal when the chute is finally opened is merely an attempt to escape the torment.

A rope with a bell attached is tied around the bull's girth, and other rope -- similar to the flank strap -- is tightened around the sensitive flank area.

D. THE FLANK STRAP

The Toronto Humane Society:

The Humanitarian Concerns About Rodeo Events, 1989

No matter what animals are used flank straps are necessary to cause enough stress in the animal to produce satisfactorily savage bucking.

The flank strap is cinched tightly for as long as possible as the animal is released from the bucking chute into the rodeo area. This applies painful pressure to the lumbar nerves, which are particularly sensitive, and to the inguinal (groin) area. The prepuce (foreskin of the penis) may be squeezed within the grip of the flank strap.

It is the pressure of the flank strap, plus spurring and possibly other stimuli, legal or illegal, that cause the bucking. Bucking broncs don't buck without the application of cruel stimulus.

The fleece lining of the flank strap serves a cosmetic function only, and has been found to be more abrasive than an unlined flank strap.

A study has shown that most bucking horses are relatively gentle. They can be ridden or examined with no exceptional danger. The "wildness" ... is actually a response to the torment of the flank strap and other stimuli.

In observing bucking bronc events, a lay person can see how the bucking stops immediately when the flank strap is removed by the pickup rider.

The Humane Society of the United States:

A Special Report on Rodeo, by Robert C. Bay, D.V.M., 1971-1972

The R.C.A. (Rodeo Cowboys Association) et al., have contended that the strap was no more of an annoyance than a man's belt and that it did not make a horse buck .... The flank strap can, in no way, be compared to a man's belt. It is applied to the flank area and is cinched tightly by a heavy man holding on to a tension strap as long as possible as the animal is released from the bucking chute. This strap is, at least a severe annoyance to the horse, applying pressure to sensitive lumbar nerves, the inguinal canal area, and, on fairly frequent occasions, it involves the prepuce of the male animal.

Horses come out of the chutes bucking because:

a. The pressure of the flank strap

b. The spurring of the cowboy.

NOTE: Invariably, the horse stops bucking the second that the pick up rider releases the bucking strap.

We have found that fleece lined flank straps produce more abrasions to the flanks of horses than an unlined flank strap.

A critical observer who is familiar with the natural bucking process of a horse will quickly detect the rather unnatural bucking of a horse with a flank strap applied.

We have shown that gentle horses which are safe for children to ride unattended put on a pretty good bucking display that would unseat the average cowboy when the bucking strap is applied to them.

Information flier

It is very possible for the bucking or flank strap to produce superficial wounds, cuts, or bruises. Although we do have letters from veterinarians stating that the strap could cause damage to internal organs, no extensive research has been done on this subject.

As the horse writhes and bucks to rid itself of this painful annoyance, the strap rubs against the animal, often causing raw spots where its skins has been rubbed through. These spots will hardly get a chance to heal before the animal's next bout with the flank strap two days hence.

E. THE ELECTRIC PROD:

The Humane Society of the United States:

A Special Report on the Rodeo, by Robert C. Bay, D.V.M., 1971-1972

The "hot shot" is not used "sparingly" or "only when needed" as the I.R.A. (International Rodeo Association) and the R.C.A. suggest. By visible observation and filmed documentation, this device is used at the discretion of the stock contractor's personnel ... (and) it is used routinely to agitate Brahma bulls and roping calves.

By the electronic measurements of the electrical engineering department of a major university and a major international electronic manufacturer's skilled engineers, even a two (2) battery "hot shot" initially delivers a voltage exceeding 8,000 volts! The amperage is low and the administered voltage tapers down rapidly, but the initial "shock" is high voltage.

The "hot shot" will, at times, "draw blood" and will always produce skin damage.

The users are wary ... in the use of the hot shot and keep it concealed as much as possible. They are kept in coats, hip pockets, under shirt sleeves, behind chute boards, etc.

From "Safe Operating Room Practices" manual, the voltage discharged by one of these devices is three times the allowable voltage discharge that could cause cardiac arrest in a patient.

On a few occasions our investigative personnel have accidentally been the victim of this electrical gadget (the electric prod) and have described severe pain, lasting for several minutes and even discomfort in the opposite appendage from the one receiving the the direct contact.

The Toronto Humane Society:

The Humanitarian Concerns About Rodeo Events, 1989.

The charge is so intense that burns may appear in the skin and for this reason hot shots are routinely avoided by stock handlers interested in protecting the hides of animals scheduled for slaughter.

F. CALF ROPING

The Toronto Humane Society:

The Humanitarian Concerns About Rodeo Events, 1989

It is essential that the horses used in this event learn to stop quickly. One training method that has been described to cause this abrupt stopping is to strike the running horse on the head with a bat, according to a former rodeo worker. There is potential for serious injury or death in this training procedure.

Tests indicate that a calf runs at a speed of approximately 27 mph at the time the rope jerks it to a stop. For a 225 pound calf, the forces applied to its throat area equal 10 gs, or 10 times the force of gravity. Veterinarians estimate that there is cause for concern when G forces approach 4.

Animals roped, or "busted", have been found to suffer from bruising with ecchymotic (discoloration resulting from forced bleeding through adjacent tissues) haemorrhaging (bruising) of the subcutaneous (beneath the skin) tissues of the neck and shoulders and dyspnea (difficult, laboured breathing) with resulting ecchymosis of the trachea (windpipe).

When the noose snaps tightly over the laryngeal cartilage ("voice box") area of the throat there is painful bruising of an area with low healing ability.

There is also greater risk to the spinal column of the running calf if the animal twists around as it is being roped.

Because rodeo procedures are both inefficient and harmful to animals they are not used in contemporary stock handling. Roping, even with regard to range animals, is held to a minimum to reduce risk to valuable animals.

The Alberta S.P.C.A.:

"The Alberta S.P.C.A. identifies calf roping and team roping as having significant potential for injury and stress for the animals involved" (Joy Ripley, President).

The Canadian Wild Horse Society

Expose on Cruelty to Rodeo Animals

A calf is often zapped with an electric prod -- sometimes directly on the anus -- so that the animal will lurch out and run when the gate is opened.

These little animals are used day after day. In practice some of them are used dozens of time a week. Common sense should tell anyone that every time a calf is roped it is hurt. Hair is often burned from their necks from repeated roping.

There are more contestants in this event than in any other because it pays the highest prize money. There can easily be as much as $3,000 riding on a calf. The suffering of the animal is of little concern to the roper who is trying to get the calf down in the least possible time to end up with the money.

The Humane Society of the United States:

Special Report on Rodeos, September, 1973

A calf roped and busted even once suffers injuries from a scientific point of view:

- Tissue bruising with haemorrhaging occurring in the subcutaneous tissues of the neck and shoulder areas.

- Breathing difficulty, resulting in inflammation and ruptured blood vessels in the trachea.

- Bruising and haemorrhaging of the thymus gland

- Bruising of cartilages in the larynx and trachea with acute inflammatory tissue responses when the lariat is snapped tightly around the throat and the calf is jerked to a stop.

NOTE: anyone who has ever received even a minor blow to the "Adam's apple" or voice box knows how painful such a blow can be.

Information Flier

On the range, the object was to capture the calf without harming it. In the rodeo, the object is only to do it faster than anyone else, and whether the animal is injured or even killed has no bearing on the cowboy's score.

When things go right the calf is apt to be injured; when things go wrong the injuries get more and more severe. If the calf hits the end of the rope with enough force, it will be jerked of its feet and slammed to the ground, causing bruising and possibly internal haemorrhaging. Bruising of cartilages in the larynx and trachea with acute inflammation result when the lariat is snapped tightly around the calf's throat.

The calf is "encouraged" to dash from the chute by having its tail twisted or being zapped with an electric prod.

The calf may get dragged through the dirt by an ill-trained horse and suffer surface abrasions.

G. STEER BUSTING:

The Canadian Wild Horse Society:

Expose on Cruelty to Rodeo Animals

Steer busting is especially inhumane. A cowboy lassoes the steer around the neck or horns, loops the lariat around the rear end of the steer, and gallops his horse off at an angle that will trip the steer in a neck-breaking jerk at about 50 MPH. The steer, weighing 700-800 pounds, is flipped into the air, swung around as much 180 degrees, and slammed to the ground, often on his back. The animal's horns are frequently dug into the ground and sometimes broken. This violence renders the steer incapable of moving and knocks the wind out of it -- and sometimes breaks the animal's neck -- so that it is unable to get up while the roper ties three of its feet together.

The steer runs into the arena when the chute gate is opened only because it is trying to escape the pain and torment inflicted on it by use of the "hot shot" and other abuse calculated to send it rushing from the chute at high speed.

The Wyoming Humane Society:

Information Flier

This is a rodeo event called "steer busting" and it is done with one purpose: To trip and smash this animal to the ground with such violence that it will be stuned long enough to allow the roper to tie three of the steer's feet together.

In this "sport" one out of every fifteen steers that leaves the chute will be killed or crippled. He may be killed in a bust more violent than most, or he may be so crippled that he can no longer be used and will be taken to the slaughter house.

The Humane Society of the United States:

Summary Report of the HSUS Rodeo Studies of 1971 and 1972 by Robert C. Bay, D.V.M.

Steer roping or busting has been outlawed in most states that allow rodeo competition and performances because of the obvious violence, inhumaneness, and frequent obvious injury even to the eyes of the lay spectator who easily detects broken legs, broken horns, and filled nostrils and eyes.

Special Report on Rodeos, September, 1973

HSUS investigators observed visible injuries to as many as 11-12% of the animals in some steer busting events.

Because of the obvious violence and frequent injury to the animal steer busting is conducted less frequently than other rodeo events.

H. TEAM ROPING:

The Humane Society of the United States:

Special Report on Rodeos, September, 1973:

HSUS is also opposed to team roping, which features one cowboy roping a steer by the head or horns and another cowboy roping him by the hind legs. The steer, consequently, is stretched in two directions. This can result in torn ligaments and injured muscles.

I. STEER WRESTLING:

The Canadian Wild Horse Society:

Expose on Cruelty to Rodeo Animals

In steer-wrestling or bulldogging, a man on horseback pursues a steer which has been goaded into racing around the arena. The rider leaps from his horse to grasp the steer by the horns, twisting its neck violently and painfully until the steer is forced to the ground on its side. The steer-wrestling can twist the animal's head nearly 180 degrees, sometimes causing serious neck injuries.

J. TREATMENT OF RODEO "STOCK"

The Canadian Wild Horse Society:

Expose on Cruelty to Rodeo Animals

It used to be that an injured animal was at least put out of its misery. It was hauled out to the receiving pens and shot. But some of the squeamish cash customers began to put two and two together and imagine the true state of affairs -- they wondered if being entertained was worth this. And said so! Now the injured are hauled to the receiving pens as before, but now are left to suffer until after the show. Then, when no one is around to see, the injured are quietly and unobtrusively taken to the slaughterhouse.

The Humane Society of the United States:

Information Flier

The animals are forced to travel the rodeo circuit packed in vehicles for endless hours. They are usually kept in cramped quarters, not allowed adequate time to exercise or to move freely. They often spend from one to three days in a city and are housed in temporary facilities which meet only their minimum needs. This type of life is not humane for an animal even if provided with adequate food, water and veterinary care.

There are no veterinarians in attendance at many rodeos. They would have to be called in by the owner of the animals for treatment.

Packed into over-crowded trucks and holding areas, often unsheltered and sparsely fed, they are hauled around the rodeo circuit like pieces of unfeeling machinery.

The Rodeo Cowboys' Association would like people to believe that rodeo horses or other stock work only a matter of seconds per week to entertain the public and that they are pampered, well cared for animals. Actually, the animals are supplied by stock companies and are used three and sometimes four performances a day and in every rodeo performance. It is not uncommon for the stock to leave one rodeo and be transported immediately to another rodeo. The basis for their claim is that the bucking contest itself lasts only eight seconds, but this has nothing to do at all with the time a horse is actually worked while it is being transported through the rodeo circuit.

Practice rodeo stock is used over and over by every performer for just as long as the practice session goes on. These animals are also subjected to bucking straps, electric prods and all the other pain inducing methods and are used until they are worn out. Animals purchased for rodeo practice stock are always the most inexpensive that can be obtained, bought from slaughterhouses, auctions and sometimes from veterinarians who have been given animals to destroy.

It is likely that greater abuses occur in practice than in public, because cruelties that might disqualify a cowboy in a competition are nothing more than a learning experience in training.

Each outing in public or private brings the possibility of bruises from nervous rearing or shying while trapped in the chute, abrasion injuries from being raked by the rider's spurs, and muscle or tendon injuries sustained while bucking and charging about the arena.

The Humane Society of the United States:

Special Report on Rodeos, September, 1973

Not all rodeos have veterinary care available for injured animals. Conditions such as overgrown or cracked hooves, open wounds, skin infections, malnutrition, internal parasites, and improper loading and unloading of animals receive little or no attention.

Too often rodeo animals are so badly injured that they must be hauled from the arena on a sled.

In addition to the animals seen by spectators, rodeo performers use other animals for practice in preparation for performances. These animals are subjected to constant risk of injury, without even the scrutiny of spectators to protect them from flagrant abuse.

Under the direction of a veterinarian, our investigators attended rodeos in Montana, Wyoming, and Colorado over a two-year period. They documented visible injuries to a significant number of animals used in those rodeos. The injuries were indicated by broken limbs, dazed or unconscious animals, flank sores, open wounds, abrasions, spur marks in the neck and shoulder areas and broken horns.

From The Humane Society of The United States:

Summary Report of the HSUS Rodeo Studies of 1971 and 1972, by Robert C. Bay, D.V.M.

The care and condition of the stock varies greatly with the stock contractor. There appears to be no minimum standards nor any supervision. There may or may not be a supervisory veterinarian. Even when there is one listed, we have never observed the stock being checked.

We have observed the following conditions being fairly common in rodeo stock:

1. Most bucking horses suffer from neglect of their feet. Most hooves need trimming and cracking is very common.

2. Abrasions from the flank straps are left unattended.

3. Many animals are thin and, clinically, appear to be underfed and/or heavily parasitized.

4. Draining open wounds have been observed. The most commonly occur at the point of the hip over the tuber coxae

5. Severe ringworm infections have been noted in calves.

6. Most holding pens contain no food or water. Most have no shade. Some have been so bad as to contain at least six inches of "muck" for the animals to stand in.

7. There is little "respect for life" displayed when the stock is loaded and unloaded. The stress factors are high.

8. Lesions produced by the raking of spurs over the neck, shoulder and costal areas of bucking horses are never treated.

9. The frequent loading, unloading, transportation -- often over long distances, is not a happy fate for livestock. The changes of water, often feed, and the environment add to the stresses. Couple this with prodding, goading, the noise, the spurring, flank straps, lariats, hot shots, the heat, the insect pests, the dust, and the viciousness of man competing for a prize, at the expense of the captive animal, and the stress factors soar!

K. PROPOSED LEGISLATION:

Rep. William F. Ryan (D-N.Y.) has introduced a bill in the House of Representatives that will prohibit the interstate shipment of any animal for use in steer busting, calf roping or steer wrestling in public rodeos.

This legislation will also ban the buying, selling, and shipment of any bucking strap, electric prod, steer bell, or any other device used to make rodeo animals appear wild.

In introducing the bill, Congressman Ryan said, "The shocking fact is that in some rodeos animals are victimized by devices specifically used to inflict pain in order to give the public its money's worth."

The bill has been referred to the House Committee on Interstate and Foreign Commerce. (from The Canadian Wild Horse Society, Expose on Cruelty to Rodeo Animals)

In 1982, The Humane Society of the United States joined with Defenders of Animal Rights to support an ordinance before the Baltimore County Council which would have banned flank straps, electric prods, and other painful devices associated with rodeo. Strong opposition from local cowboys and their associations prevented the ordinance from being enacted in full, but the council did ban the use of electric prods on rodeo animals while in the holding chute prior to individual rides. (From A New Assault on Rodeo, 1988, The Humane Society of the United States)

Rhode Island recently became the first and only state in the union to enact legislation ensuring the humane treatment of rodeo animals. The new law mandates the attendance of a veterinarian, chosen by the state's SPCA and animal protection community, to be present at all rodeos. The veterinarian has unilateral authority over the treatment and utilization of all rodeo animals. If he sees that an animal is either mistreated or unable to perform the stock contractor must withdraw the animal.

The original proposed legislation prohibited calf-roping, but the measure was blocked. A compromise bill was then proposed which allowed "breakaway" roping. .... The "breakaway" compromise allowed for the calf to be roped, but run free, without the traumatic bone-breaking, neck snapping crash at the end. The senate committee refused to consider reforming the single rodeo event, but did adopt humane standards for all rodeos in the state. (From The Humane Society of Jefferson County, Inc., Newsletter Paw Prints, Winter 1988/89)

In 1987 the Dutch Council of State, the highest administrative court in the Netherlands, ruled that performances of Rodeo USA may be banned from Dutch cities on the grounds that the shows represent "a lack of respect" for animals". (underlining AFAR)

A spokesperson for the Mayor of Apeldoorn, Holland, who had the rodeo cancelled, said the mayor was "afraid of the mental damage, the anxiety and the stress" that the rodeo animals would suffer. "Our mayor doesn't want these animals treated the way they are treated in a rodeo. He thinks that this manhandling of animals, which is alien to our culture, will cause the relationship between animals and human beings to suffer." (underlining AFAR)

(from The Stars and Strips newspaper, August 6, 1987)

The Humane Society believes cattle roping events conducted for entertainment -- calf roping, team roping (one steer, two cowboys), and steer busting -- should be banned in every state. (underlining, AFAR) As a step toward that goal, HSUS officials testified before the Colorado Legislature in April 1973 in support of bills that would ban roping and busting of any animal in rodeos. Both bills had been introduced by Sen. Ted Strickland (R-Westminster) who has since been appointed lieutenant governor.

"There are no events in rodeo performances that are more injurious to calves and steers than those events employing the act of roping," HSUS President John A. Hoyt told the Colorado Senate State Affairs Committee. "Indeed, the blatant nature of these events should convince any sensitive person that animals so roped are being subjected to torment, pain, and injury."

(From The Humane Society of the Unites States' Special Report on Rodeos, September, 1973)

The Humane Society of the United States Model Ordinances (1982):

Use of Painful Techniques and Devices Prohibited:

No performing animal exhibition, circus, rodeo, or similar event shall be permitted in which animals are induced or encouraged to perform through the use of any practice or technique, or any chemical, mechanical, electrical, mechanical, electrical or manual device that will cause, or is likely to cause physical injury, torment or suffering. The following devices are specifically prohibited at all such exhibitions, circuses, rodeos and similar events: electric prods or shocking devices, flank or bucking straps, wire tie-downs, sharpened spurs, and bullwhips.

Every separate act committed in violation of this section, shall constitute a separate and distinct offence and shall be punishable by a fine not to exceed one thousand dollars ($1,000.00) and/or a term of imprisonment not to exceed thirty (30) days.

Use of Public Facilities for Rodeo Prohibited:

It shall be illegal for all institutions and facilities, whether public or private, receiving (state/county/municipal) revenues to conduct or to permit to be conducted any performing animal exhibition or contest, any circus, rodeo, wild west show or similar event which will cause, or is likely to cause physical injury, torment, or suffering to an animal.

Every act committed in violation of this section shall be punishable by a fine of not less that one thousand dollars ($1,000.00) nor more than five thousand dollars ($5,000.00); and further, upon finding of a violation of this section, the (state/county/municipal) revenues may be denied to the institution or facility held in violation.

Certain Rodeo Events Prohibited:

It shall be illegal for any person to engage in a roping contest with other persons or alone, in which cattle or other animals are roped as a test or skill of the person or persons engaged in such roping contest, for any prize, championship, for anything of value, or upon the result of which, any money or anything of value is bet or wagered.

Every separate act committed in violation of this section shall be punishable by a fine of not less than $100.00 nor more than $1,000.00. Every animal roped shall be a separate offense.

In 1988, a Bill for an Act Relating to Cruelty to Animals was brought before the House of Representatives by the State of Hawaii. The Bill reads in part:

> A person commits the offense of cruelty to rodeo animals if the person:
>
> (a) Induces or encourages a rodeo animal to perform through the use of any practice or technique, or any chemical, mechanical, electrical, or manual device that will cause or is likely to cause physical injury, torment, or suffering; or

(b) Uses the following devices which are specifically prohibited at all exhibitions, circuses, rodeos, and similar events:

(i) electric prods or shocking devices;
(ii) flank or bunking straps;
(iii) wire tie-downs
(iv) sharpened spurs; and
(v) bullwhips.

SECTION III: REQUEST FOR BY-LAW:

Given the inordinate amount of cruelty intrinsic to rodeo performances, it is Allies For Animal Rights' contention that a humane rodeo is impossible. Although this report contains many samples of by-laws and city ordinances which the municipality could use in drawing up by-laws regulating rodeos, AFAR submits that the Mayor and Council of Hamilton ought to pass a by-law which would totally ban rodeos and rodeo-type events in the city of Hamilton.

In December of 1988, AFAR wrote to the Mayor and Aldermen of the City of Hamilton outlining the cruelties inflicted on rodeo animals and requesting a by-law banning rodeos.

In January, 1989, the Municipal Legislation Committee received a memo from Philip Hooker, City Solicitor regarding our request, in which he states:

"... in our opinion the municipality already does have legislative power to pass a by-law prohibiting the holding of rodeo events within its boundaries."

According to Mr. Hooker, City Solicitor, this power rests within the Municipal Act, section 232, paragraph 7 which allows a board of police commissioners to pass by-laws:

"For prohibiting or regulating and licensing ... menageries, circus-riding, and other like shows ...."

This section would include rodeos and rodeo-type events.

Given the above information, it is respectfully submitted that the municipality would be faced with no impediments in enacting a by-law banning rodeo performances in Hamilton.

Also in January 1989 the Legislative Committee received correspondence from the Hamilton SPCA which included a report on what the SPCA inspectors witnessed at two rodeos held in Copps Coliseum. The following abuses of animals were observed:

- use of an electric prod around the anus of steers
- use of an electric prod around the eyes of a bull
- the kicking of calves and steers around the head and generally rough treatment of animals being moved to chutes
- minor breaches of Ontario Rodeo Association Rules

In this correspondence, Cam Stableford, General Manager of the Hamilton SPCA, also stated:

"We find the letter from Allies for Animal Rights to be largely accurate of the circumstances of the rodeo environment and the treatment of animals at these events.

I would strongly support the passage of a By Law in the City of Hamilton which would prohibit the conduct of such events."

In spite of the report from the City Solicitor, the support given AFAR's by-law request from the Hamilton SPCA and the SPCA's report on the abuse shown to animals at the last two rodeos held in Hamilton, Allies for Animal Rights received correspondence from Mr. John Thompson, Secretary, Legislation Committee, in February, 1989, stating:

"Following consideration of this matter, the Legislation Committee directed that your correspondence be received with no further action."

Given the facts outlined in this report regarding the intrinsic cruelty of rodeo performances, the report on cruelty to animals in the last two rodeos in Hamilton by the Hamilton SPCA, the Hamilton SPCA's support of a by-law banning rodeos in Hamilton, and given that the municipality has the power to pass such a by-law, Allies for Animal Rights submits that it is incumbent upon the City of Hamilton to pass a by-law prohibiting the performances of rodeos and rodeo-type events in the city of Hamilton.

Allies for Animal Rights further suggests that any such by-law include the following provisions:

1. a prohibition against the transporting into Hamilton of any animal for use in bareback riding (bucking), bull riding, calf roping, steer busting, steer wrestling, or any such similar activity which would involve inflicting pain or stress on said animal;

2. a prohibition against the buying, selling or use of any bucking or flank strap, electric prod, steer bell, wire tie-downs, sharpened spurs, bull whips, or any other such similar device;

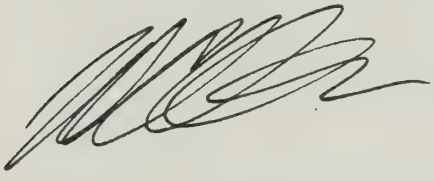
3. a definition of rodeo-type events shall include dressing animals in human clothing; greasing pigs or other animals and chasing and capturing them; the racing of pigs, ducks, or other animals; and the saddling of sheep, goats, ponies, or similar animals for children to ride.;

4. a prohibition against all institutions and facilities, whether public or private, which receive municipal revenues from conducting or permitting any rodeo, wild west show or any other similar event;

5. every separate act committed in violation of any section of the by-law shall be considered a separate and distinct offence;

6. the by-law must include sanctions for each violation sufficient to act as a true deterrent.

All of which is respectfully submitted,



Liz Crozier-Organ
Co-Ordinator

ALLIES FOR ANIMAL RIGHTS

SECTION IV: SOURCES:

The Hamilton Society for the Prevention of Cruelty to Animals
658 Parkdale Avenue North
Hamilton, Ontario
L8H 5Z4

The Toronto Humane Society
11 River Street
Toronto, Ontario
M5A 4C2

The Alberta Society for the Prevention of Cruelty to Animals
218 Abbottsfield Mall
3210 - 118 Avenue
Edmonton, Alberta
T5W 4W1

The Canadian Wild Horse Society
3660 - 40th Street S.E.
Salmon Arm, British Columbia
V1E 4M3

The World Society for the Protection of Animals
215 Lakeshore Blvd. E.
Suite 113
Toronto, Ontario
M5A 3W9

The Humane Society of The United States
2100 L Street NW
Washington, D.C.
20037

The Humane Society of Jefferson County, Inc.
W6510 Kiesling Road
Jefferson, WI

Wyoming Humane Society
Box 863
Wheatland, Wyoming

The California Vegetarian Association
4010 Colonett Place
Newbury Park, California
91320

APPENDIX OF ATTACHMENTS:

1. Letter from Allies for Animal Rights to Mayor and Aldermen of the City of Hamilton, Dec. 22, 1988.

2. Reply from Mayor Robert M. Morrow, Dec. 30, 1988.

3. Reply from Alderman William M. McCulloch, Jan. 3, 1989.

4. Reply from Alderman Don Drury, Jan. 10, 1989.

5. Letter to Allies for Animal Rights from John Thompson, Secretary, Legislation Committee, January 17, 1989.

6. Letter to Allies for Animal Rights from John, Thompson, Secretary, Legislation Committee, February 23, 1989 with attachments:

   a. Memorandum from Philip R.A. Hooker, City Solicitor to Legislation Committee

   b. Letter from Cam Stableford, General Manager, Hamilton S.P.C.A., January 19, 1989

   c. Report on Rodeos to The City of Hamilton Parks and Recreation Department from Carl Bandow, Inspector, Hamilton S.P.C.A., January 13, 1987

   d. Hamilton S.P.C.A. Guidelines for Rodeo in Hamilton

7. Letter from Debi Pacey, Brantford, to Allies For Animal Rights re rodeo cruelties

Allies for Animal Rights
c/o #1 - 3 Hunter Court
Dundas, Ontario
L9H 1E2

Dear

Allies for Animal Rights is the first animal rights organization to be formed in the Hamilton area. A-FAR was originally formed in March, 1988, to combat, through non-violent, non-destructive means, the exploitation and abuse of non-human species and to promote a way of life that gives equal consideration to human and non-human interests and rights. A-FAR members are committed to the cessation of the exploitation and abuse of all non-human species.

A-FAR is an action-oriented group and our primary method for change is through education: lectures, news articles and letters, public relations events, press agency, protest marches and demonstrations and other such non-violent, non-destructive methods that may be appropriate to raise awareness among the general public, gather support for new legislation, seek behaviour changes on the part of individuals, corporations, research facilities or governments, whether in our own or other countries.

In September, 1988, a rodeo was held at Copps Coliseum in Hamilton. Allies for Animal Rights made an appearance at the Coliseum both to protest the exhibition of the rodeo and to educate the public about the cruelties inflicted upon rodeo animals.

Although many people think of rodeos as harmless entertainment, there is simply no such thing as a humane rodeo -- most, if not all, rodeo events are inherently inhumane.

. . . 2

Rodeo proponents claim that animals used in bull and bronco riding competitions buck because its their natural instinct, because they don't like having riders on their backs, or because they simply enjoy bucking. In fact, the evidence overwhelmingly suggests that the animals buck because they are experiencing pain resulting from the use of the "bucking strap" (also called the flank strap), the rider's spurs, and prodding or other mistreatment. The bucking strap is cinched around the lower abdominal area ofthe horse or bull, applying pressure to internal organs and nerves unprotected by the ribcage. As the chute gate opens, the strap is tightened by a rodeo worker situated behind the chute. Rodeo proponents claim that this individual knows just exactly how tight the strap should be, and never cinches it too tight. But when the animal is bolting headlong out of the chute, and the rodeo worker is pulling on the strap, the tightness and exact placement of the strap become uncertain. It is not uncommon to observe the strap tightened around an animal's genitals.

In the bucking events, the score of each contestant is determined in part by the spurring action employed by the cowboy, and in part by the animal's bucking display. This scoring system encourages mistreatment of animals -- the most formidable displays of bucking are brought about through the inducement of pain. Bucking horses and bulls are at risk of injury each and every time they are used. Their injuries include bruising from movement in the narrow chutes prior to release, abrasions caused by the rider's spurs, muscle and tendon injuries sustained while bucking, injury or death from collisions with the walls of the arena, and raw open sores caused by regular use of the bucking strap.

Adding to the bucking animal's ordeal is the infliction of pain by various means while animals are confined in the chutes. Tail-twisting and jabbing with sharp objects are common ways of getting animals "riled up". Horses and bulls are routinely worked over with electric prods (which deliver up to 8,000 volt shocks) while held in the chutes unable to escape the pain. The prods produce no amperage, so no burns result, although bleeding and skin damage may occur. The force of the shock, while endurable, is very painful. The prodding is calculated to work the animal into a state of frenzy, so that when the chute gate is opened he will lunge out, bucking wildly. The prodding occurs in the chutes -- out of sight of the crowds -- and sometimes prods are hidden in the user's clothing.

. . . 3

Electric prods and tail-twisting are also used on calves and steers prior to their release into the arena for the roping competition. This mistreatment sends the calf or steer dashing out of the chute at an average speed of 27 miles per hour, pursued by a cowboy on horseback. In calf roping the gaol is to rope the calf around the neck, flip him off his feet, and tie up any three legs in ten seconds or less. Injuries resulting from this brutality include broken necks and backs, severe bruising, internal hemorrhaging, and crushed throats and trachea. The steer busting event is similar, the only difference being the size of the victim. Team roping involves two cowboys; one ropes the steer around the horns and the other ropes him around the hind legs, painfully pulling the animal in two directions at once. In steer wresting, a cowboy on horseback leaps from the horse while passing the steer at a gallop, grabs the horns, and twists the steer's head until the animal loses his balance and falls.

Chuckwagon racaes, using teams of four horses, are among the most dangerous of rodeo events for both humans and animals. A chuckwagon race held as part of the Calgary Stampede rodeo in 1986 resulted in five horse deaths when three wagons collided in one of the worst accidents in the history of rodeo. In the "Suicide Race" held at the Omak Stampede in Omak, Washington, horses are raced at breakneck speed down a steep 200-foot high embankment. In 1985, a terrible pile-up at the bottom of the hill resulted in many injuries and one fatality among the horses used in this senseless event.

Rodeo's apologists are quick to assert that the animals they use are "too valuable to mistreat." They mention that bucking horses may live 20 years or longer and maintain that, were it not for rodeos, the animals would end up being slaughtered for pet food. But the mere fact that a horse lives to be 20 years old says nothing about what the animal may have experienced during that time. Most horses and bulls used in the bucking events never would have been brought into the world in the first place if they weren't going to be used in rodeos. The calves and steers used in roping events are destined for the slaughterhouse anyway; they are used in rodeos to bring a little extra income to ranchers before being fattened for market. Bucking horses and bulls are often slaughtered when they have outlived their usefulness on the rodeo circuit.

. . . 4

The so-called sport of rodeo belongs in the same category as bullfighting, cockfighting, and dogfighting -- they are all violent events staged for the purpose of entertainment. There would be massive public outcry if dogs and cats were to be treated as are rodeo animals: prodded, cinched, spurred, thrown and slammed around like inanimate objects. No animal enjoys being treated in this manner. It is true that rodeo contestants are also subject to the risk of injury and death in the arena, but they may choose not to participate. The animals have no such privilege.

In view of the brutal treatment of rodeo animals, Allies for Animal Rights respectfully requests that the Hamilton City Council give serious consideration to passing a by-law banning rodeo events in Hamilton. We feel that the only way to stop these abuses is to stop rodeo performancaes. We are certain that, now that you are familiar with the cruelty experienced by rodeo animals, you will be more than willing to support such a by-law.

Thank you for your consideration in this matter.

Respectfully,

Liz Crozier-Organ

ALLIES FOR ANIMAL RIGHTS

ward 1: Terry Cooke
Mary Kiss

2: Vince Agro
William McCulloch

3: Brian Hinkley
Don Drury

4: Geraldine Copps
David Christopherson

5. Dominique Agostino
Fred Lombardo

~~7. Tom Jackson~~
~~Henry Morling~~

6. John Smith
Tom Jackson

7. Henry Morling
John Gallagher

8. Don Raft
Tom Murray

plus. Mayor Bob Morrow

ROBERT M. MORROW
MAYOR

Mayor's Office
Hamilton

December 30th, 1988

Ms. Liz Crozier-Organ
Co-ordinator
29 Summerdale Place
Ancaster, Ontario
L9G 4A5

Dear Ms. Crozier-Organ:

Thank you for your recent letter regarding the concerns of the Allies for Animal Rights.

I have taken the liberty of forwarding a copy of your letter to Mr. John Thompson, Secretary of the Legislation Committee, to be placed on the agenda of a future meeting. I am sure you will be hearing from him soon.

Again, thank you for writing about this.

Yours very truly

Bob Morrow

Robert M. Morrow
Mayor
City of Hamilton

RMM:tt

cc. Mr. John Thompson, Secretary - Legislation Committee

City Hall,
71 Main Street West, Hamilton, Ontario, Canada L8N 3T4
Telephone: (416) 526-2790

CANADIAN FOOTBALL HALL OF FAME 25 YEARS 1963-1988 HAMILTON

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 January 17

Liz Crozier-Organ
Co-ordinator
Allies for Animal Rights
29 Summerdale Place
Ancaster, Ontario
L9G 4A5

Dear Ms. Crozier-Organ:

This refers to your letter of 1989 January 12 acknowledging receipt of correspondence from Mayor Morrow advising that he has forwarded to me your letter to him of 1988 December 12 regarding rodeos.

For your information, I have requested a legal opinion from the City Solicitor as to whether the municipality has legislative power to pass a by-law prohibiting the holding of rodeo events within its boundaries.

I have also asked for the comments of the Manager of the H.S.P.C.A. on the statements you made in your letter in respect of the treatment of rodeo animals.

With respect to your inquiry regarding the public meeting on pit bull dogs, I have referred a copy of your letter to Ms. Charlene Coutts, Secretary, Animal Control Sub-Committee for response. You should be hearing from her soon as to what action was taken on the issue.

Once I have assembled the necessary information regarding the rodeo issue, your letter of 1988 December 22 will be presented to the Legislation Committee for consideration and recommendation.

Yours truly,

John Thompson, Secretary
Legislation Committee

JT:mjw

c.c. Miss C. Coutts, Secretary
Animal Control Sub-Committee

Mr. C. Stableford, General Manager
H.S.P.C.A.

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 February 23

Ms. Liz Crozier-Organ
Co-ordinator
Allies for Animal Rights
29 Summerdale Place
Ancaster, Ontario
L9G 4A5

Dear Ms. Crozier-Organ:

Further to my letter of 1989 January 12, this is to inform you that your letter of 1988 December 22 addressed to Mayor R. Morrow outlining the concerns of your organization with respect to the exploitation and abuse of rodeo animals and recommending that the City of Hamilton pass a by-law banning or prohibiting rodeo events in the City of Hamilton was formally presented to the Legislation Committee at its meeting held 1988 February 06 for consideration.

I am attaching for your information copies of reports from the City Solicitor's Office and the H.S.P.C.A. which were also submitted to the Legislation Committee for review.

Following consideration of this matter, the Legislation Committee directed that your correspondence be received with no further action.

Yours truly,

John Thompson

John Thompson, Secretary
Legislation Committee

JT:mjw

Attachment

c.c. Mayor R. M. Morrow

Mr. P. R. A. Hooker

Mr. Cam Stableford, General Manager
H.S.P.C.A.

JAN 13 1989

Corporation of the City of Hamilton

Memorandum

****

TO: Chairman and Members
Legislation Committee
Mr. J. D. Thompson
Secretary, Legislation Committee

YOUR FILE:

FROM: Philip R. A. Hooker
City Solicitor

OUR FILE:130-37/89.

SUBJECT: Rodeos - Allies for Animal Rights

DATE: 1989 January 13

In reply to Mr. Thompson's inquiry memo of January 9th, 1989 on the captioned subject, respecting the December 22nd, 1988 letter from Allies for Animal Rights to Mayor R. Morrow, a copy of which letter is attached, in our opinion the municipality already does have legislative power to pass a by-law prohibiting the holding of rodeo events within its boundaries.

This is because section 160 of the Regional Municipality of Hamilton-Wentworth Act permits local councils to pass by-laws that a board of police commissioners is authorized to pass under the Municipal Act and because section 232, paragraph 7 of the latter Act allows a board of police commissioners to pass by-laws:

"For prohibiting or regulating and licensing ...menageries, circus-riding, and other like shows usually exhibited by showmen..."

This extract gives a municipality the option of either prohibiting such events on the one hand or licensing and regulating them on the other hand. In either case, the municipality must do so by a by-law.

In our opinion, the phrase, "circus-riding, and other like shows usually exhibited by showmen" clearly includes rodeo-type shows.

If the City decides to prohibit the holding of rodeo events, while still permitting circus events, the by-law would have to so indicate quite clearly, especially in the definitions it uses.

Schedule 15 of City of Hamilton Licensing By-law 79-323, as amended by By-law 81-234, currently provides for licences and licence fees for:

Section 6.-2 "Exhibitions for which admission is charged in other than a licensed theatre or a licensed public halls,

(b) of performing horses, ponies or dogs...

(c) of a menagerie or trained animal show, circus riding, wild west show or other like show usually exhibited by showmen, or a carnival...and...side show or other entertainment connected with or associated with each show mentioned in this clause..."

Accordingly, should your Committee recommend, and Council decide to adopt, the decision to prohibit rodeos or wild west shows or "stampedes" (however described) amendments to By-law 79-323 will be necessary.

Philip R.A. Hooker

Philip R.A. Hooker
for K. A. Rouff
City Solicitor

PRAH:dc
encl.

c.c. Ms. Lian Lawrence,
Solicitor

c.c. Mr. S. Dembe,
Licence Manager

JAN 24 1989

THE HAMILTON

SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

FROM: Cam Stableford
General Manager
Hamilton SPCA

SUBJECT: Rodeos

DATE: January 19, 1989

ATTENTION: John Thompson, Secretary,
Legislative Committee
City of Hamilton

cc. Alderman Terry Cooke

I am responding herewith to your enquiry of January 9, 1989 with respect to the possibility of a By Law prohibiting the conduct of Rodeo events within the City of Hamilton. I have also reviewed the letter of December 22, 1988 submitted to the attention of Mayor Morrow from Allies for Animal Rights.

Two Rodeos have been held in Hamilton in recent years at Copps Coliseum. Both events were attended by our Inspector, Mr. Carl Bandow. At these events we witnessed the following:-

- use of an electric prod around the anus of steers
- use of an electric prod around the eyes of a bull
- the kicking of calves and steers around the head and generally rough treatment of animals being moved to chutes
- minor breaches of Ontario Rodeo Association Rules

On the occasion of these observations, the rodeo owner operator was spoken to, and these situations were temporarily remedied.

We find the letter from Allies for Animal Rights to be largely accurate of the circumstances of the Rodeo environment and the treatment of animals at these events.

I would strongly support the passage of a By Law in the City of Hamilton which would prohibit the conduct of such events. To this end, The City of Hamilton already has a By Law disallowing the Keeping of various classes of animals in the City of Hamilton. Although I am not aware of any law in Canada preventing the conduct of Rodeos, this By Law might be extended to specifically address the prohibition of Rodeo, or similar events which are seen to be inappropriate in terms of the treatment or use of animals, subject to the guidance of the City Solicitor.

Attached for your further information is a copy of a submission of record to the Legislation Committee of January 13, 1987 which

658 Parkdale Ave. North, Hamilton, Ontario L8H 5Z4 • (416) 547-1257

clearly enunciates our position on Rodeos and our opposition thereto.

I trust these remarks will be helpful to the Legislation Committee.



"we speak for those who cannot speak for themselves"

"CELEBRATING 100 YEARS OF HUMANE SERVICE"
APRIL 1987

President
Dr. Ron Barr

Board of Directors
Dr. Larry Belbeck
Dr. Dudley Collins
Alderman Terry Cooke
Mrs. Doreen Dustan
Dr. Jon Francis
Mr. A.K. German
Mr. Lorne Hast
Mr. John Hedden
Mr. Grant Howell, Q.C.
Mr. Ed Sandler
Mrs. Barbara Watson
Mrs. Edna Whitbread
Miss Betty White

January 13, 1987

The City of Hamilton
Parks and Recreation Committee

SUBJECT: RODEO IN HAMILTON

The Hamilton S.P.C.A. is a member of the Canadian Federation of Humane Societies (C.F.H.S.) and recognizes and supports the policy statements of the federation regarding rodeos. C.F.H.S. is opposed in principle to rodeo and is working towards the ultimate abolition of this activity. The Federation will actively pursue every means in its power to reduce and end suffering of animals used in rodeo events by opposing further proliferation of rodeos and rodeo events into regions where they are presently not held and/or not a tradition.

The Hamilton Area does not have a tradition of holding rodeos. We do not have a "wild west" mentality in our region that requires an exhibition of animal exploitation to take place. Popular rodeo events feature roping, tripping, dragging, and wrestling animals to the ground or tying ropes or straps around bulls' and horses' sensitive abdominal regions, then using electric cattle prods to shock them into giving exciting performances. Most rodeo audiences think that these events are good, clean family entertainment. They fail to see the injury, pain, torture, fear or harassment being inflicted upon the participating animals.

The Humane Society of the United States has opposed rodeos since the Society's founding in 1954. In their policy statement, they say "exposure of children to the atmosphere of violence in rodeos ... almost surely teaches them tolerance of inhumane treatment of animals in the name of the competition."

The Hamilton S.P.C.A. has an active Education Department in our community, teaching the public humane care for animals, and community responsibility.

the hamilton society for the prevention of cruelty to animals
headquarters & shelter - 658 parkdale avenue north, hamilton, ontario L8H 5Z4 — phone 547-1257
founded april 1, 1887.

The Hamilton S.P.C.A. opposes a rodeo being held in the City. If Council decides to go ahead with the event, we have some guidelines that we would expect to be followed.

Respectfully submitted

Carl Bandow
Inspector



"we speak for those who cannot speak for themselves"

"CELEBRATING 100 YEARS OF HUMANE SERVICE"
APRIL 1987

President
Dr. Ron Barr

Board of Directors
Dr. Larry Belbeck
Dr. Dudley Collins
Alderman Terry Cooke
Mrs. Doreen Dustan
Dr. Jon Francis
Mr. A.K. German
Mr. Lorne Haist
Mr. John Hedden
Mr. Grant Howell, Q.C.
Mr. Sid Sandler
Mrs. Barbara Watson
Miss Edna Whitbread
Miss Betty White

GUIDELINES FOR RODEO IN HAMILTON

1. That a large animal Veterinarian be in attendance for all performances and events at the expense of the rodeo operator or City of Hamilton.

2. That Humane Society Officials be allowed free access to all areas where animals are used (chutes, etc.), kept, and housed.

3. That Humane Society Officials be given full co-operation from rodeo operators, employees, and participants.

4. The Humane Society receives a complete schedule of events and performances approximately 1 (one) week before rodeo dates, and a copy of the rules and description of events used by that particular rodeo association.

5. That animals for all events be inspected by the attending Veterinarian before the draw and no sore, lame, sick or injured animals or animals with defective eyesight be permitted in the draw at any time. Should any animal become sick or be injured between the time it is drawn and the time it is scheduled to be used in competition, that animal not be used in competition and another animal be drawn for the contestant.

6. That the attending Veterinarian examine, treat or recommend the disposal of any animal injured at any time. When destruction is recommended, it shall be carried out as soon as possible, under the supervision of the Veterinarian.

7. That the placing of fingers in the eyes, lips, or nose on any animal is forbidden.

8. That no animal be beaten, mutilated, or cruelly prodded at any time.

9. That a pen, corral, or truck bed be prepared to receive injured animals removed from the arena with an adequate bed of straw or other appropriate bedding laid down for their comfort.

HAMILTON SPCA

the hamilton society for the prevention of cruelty to animals
headquarters & shelter – 658 parkdale avenue north, hamilton, ontario L8H 5Z4 — phone 547-1257
founded april 1, 1887.

10. That chutes, corrals, and alleyways be so constructed as to prevent injury to stock, and the arena shall be free to rocks, holes, and obstacles.

11. That contestants be disqualified from competing at that rodeo for any deliberate mistreatment of stock and that contestants are fully aware of sections 400 and 402 in the Criminal Code of Canada pertaining to cruelty to animals.

PREPARED BY

Carl Bandow.

CARL BANDOW
INSPECTOR

1484

Dear Sir or Madam:

On Sunday September 18 my three sons (aged 9, 6½, 3½) my mother and I attended the rodeo at Copp's Coliseum put on by the Lions Club. My mom bought the tickets, after asking me, both of us thinking the kids would enjoy it. I have never been to one and in the back of my mind have always felt it was cruel. I didn't realize how strongly I felt about this issue until my eyes were opened by my 6½ year old son. The first round of steer wrestling had him crying because he could see that the animal was being abused. I took him out of the arena until that was over and calmed him down. He was alright for the rest of the show but several times during the rest of the day, out of the blue, he would say, "I can't stop thinking about it." I know that the memory will be with him always and as difficult as it was for him, perhaps the awareness that this cruelty goes on will move him to do something about it as he gets older. He says he'll never go to another rodeo and I totally agreed.

He wondered who the people were carrying the signs outside the arena and I tried to explain it as best I knew how. After he became upset I told him that I would write to your organization for more information to see what we could do to help stop this.

I am also sending a letter similar to this to the East Hamilton Lions Club and CHAM who I noticed was a sponsor. The proceeds may be going to worthy causes but there has to be another way. Any information you can send me would be much appreciated. Keep up the fight!

Yours truly,

Debi Pacey

Debi Pacey
99 Emilie St.
Brantford, Ont.
N3S 1T1

7.

Corporation of the City of Ha

Memorandum

TO: Chairman and Members
Legislation Committee

YOUR FILE:

FROM: John Thompson, Secretary
Legislation Committee

OUR FILE:
PHONE: 526-2729

SUBJECT: THE NURSING JOURNAL -
REQUEST TO PURCHASE ADVERTISING

DATE: 1989 November 2

Attached is a copy of a letter from the Nursing Journal inviting the City of Hamilton to advertise in their publication for consideration and recommendation. Also attached for the Committee's information is a copy of the current policy with respect to advertising.

John Thompson

JT:mjw

Attachments

Sub-joined for the Committee's information is the current policy for advertising, adopted by City Council 1987 February 12.

That the current practice of considering each request for special City advertising in publications, on its own merits, be continued subject to the following guidelines:

That, requests for special City advertising be approved if:

(a) the applicant organizations activities are of benefit to the community and of a charitable nature and the request is for the City of Hamilton to extend congratulations to the Organization.

(b) the applicant Organization is hosting a conference or convention in the City of Hamilton and the request is for the City of Hamilton to extend a welcome to the delegates.

(c) a similar request has not been approved by the Regional Municipality of Hamilton-Wentworth or any other civic authority.

The Nursing Journal

Date: Oct. 13, 1989

Dear Sir/Madam: John Thompson

The editors of The Nursing Journal are proud to announce their upcoming publication. This publication will be designed to aid and inform nursing students . Technical advances are increasing rapidly and The Nursing Journal is helping to inform and assist students to face the challenges of the future.

Our publication offers an opportunity to students to exchange ideas and information on topics concerning medicine and nursing. The journal will be 8½" X 11" in size and will be available free of charge to all nursing students. It will also be available to professional nursing associations and to universities on request.

Businesses, professionals and other supporters are invited to advertise in this interesting and well-known publication.

The rates and sizes are as follows:

Full Page	10"X7½"	$1,200.00
Half Page	7"X4½"	$ 645.00
Quarter Page	4½"X3½"	$ 340.00
Eighth Page	3½"X2½"	$ 180.00
Twelfth Page	2½"X2½"	$ 125.00
Business Card	2½"X 1"	$ 95.00
Booster Box		$ 65.00
Listing		$ 45.00

Thank you for supporting The Nursing Journal.

Sincerely, Laura

The Nursing Journal
P.O. Box 3524
Cambridge, Ontario N3H 5C6
Tel: (519) 658-2100
Fax: (519) 658-2631

FOR ACTION

8.

REPORT TO: Chairman and Members
Legislation Committee

FROM: John Thompson, Secretary
Legislation Committee

DATE: 1989 November 2
COMM FILE:
DEPT FILE:

SUBJECT:

Leander Boat Club

RECOMMENDATION:

That civic awards be made to rowing crews of the Leander Boat Club in recognition of bringing honours to the City of Hamilton by winning National and International Championships in the Royal Canadian Henley Regatta and the Canadian National Masters Rowing Championships.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

Approximately $2 000 for 11 men's civic gold rings, 1 ruby chip for lady's civic ring and 2 diamond chips for men's civic rings.

Funds available in the 1989 Current Budget Estimates
Account No. CH6126 84010, Civic Pins, Medals and Rings.

BACKGROUND:

The Leander Boat Club represents the City of Hamilton at the Royal Canadian Henley Regatta and the Canadian Masters Rowing Championships and have been victorious in their events on many occasions. The awards are presented at their annual Oarsman Banquet by Mayor Robert M. Morrow.

CA4ONHBLA05-
C51L2

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

Mrs. J. McAnanama
Chief Executive Officer
Hamilton Public Library
2nd floor

CITY HALL
HAMILTON, ONTARIO
L8N 3T4
TEL 527-0241

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 November 30

N O T I C E O F M E E T I N G

Legislation Committee
Monday, 1989 December 04
9:30 o'clock a.m.
Room 233, City Hall

John Thompson, Secretary
Legislation Committee

JT:mjw

A G E N D A

DELEGATION

A. 9:30 o'clock a.m. Hamilton and Region Arts Council - "Day of Mourning" Sculpture Competition

1. Approval of the Minutes of the Meeting of the Legislation Committee held 1989 November 20

2. DRAFT BILL RESPECTING SMOKING IN THE WORKPLACE

   Referred Back by City Council, 1989 November 28

3. 91st HIGHLANDERS ATHLETIC ASSOCIATION

   Request for the City to Host Reception

4. SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Dog Licence Fees Increase

5. CITY CLERK

Workstation - Hamilton Farmers' Market

6. ASSISTANT SUPERVISOR - BUSINESS TAX

Tax Application Process under Section 496(a) of The Municipal Act in accordance with Bill 59 (Municipal Act Amendment) Chapter 31 Statues of Ontario, 1988 in the amount of $28 781.28 be approved and charged to Account No. CH53307 24104 Tax Remissions

7. RESOLUTIONS

(a) Alderman T. Murray

Provincial Legislation Prohibiting the Use of Animals in Cosmetics and Product Testing

(b) Transport and Environment Committee

Railway Fencing

8. USE OF CITY HALL FACILITIES

(a) Hamilton Injured Workers Committee

Display Wreath on City Hall Balcony and hold Vigil in Forecourt

(b) World Day of Prayer Committee

Use of Council Chambers for Annual Service

(c) Transportation Services Committee

Use of Second Floor Foyer for Public Meeting

9. CORRESPONDENCE

Food Irradiation Alert

10. PRIVATE AND CONFIDENTIAL MATTER

11. NEW BUSINESS

12. ADJOURNMENT

ACCOPRESS®

PRESSTEX by ACCO

25070	YELLOW/JAUNE	BY2507
25071	BLACK/NOIR	BG2507
25072	BLUE/BLEU	BU2507
25073	R. BLUE/BLEU R.	BB2507
25074	GREY/GRIS	BD2507
25075	GREEN/VERT	BP2507
25077	TANGERINE	BA2507
25078	RED/ROUGE	BF2507
25079	X. RED/ROUGE X.	BX2507

MADE IN CANADA BY/FABRIQUÉ AU CANADA PAR
ACCO CANADIAN COMPANY LIMITED
COMPAGNIE CANADIENNE ACCO LIMITÉE
TORONTO CANADA

HAMILTON PUBLIC LIBRARY
3 2022 21334292 2